



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

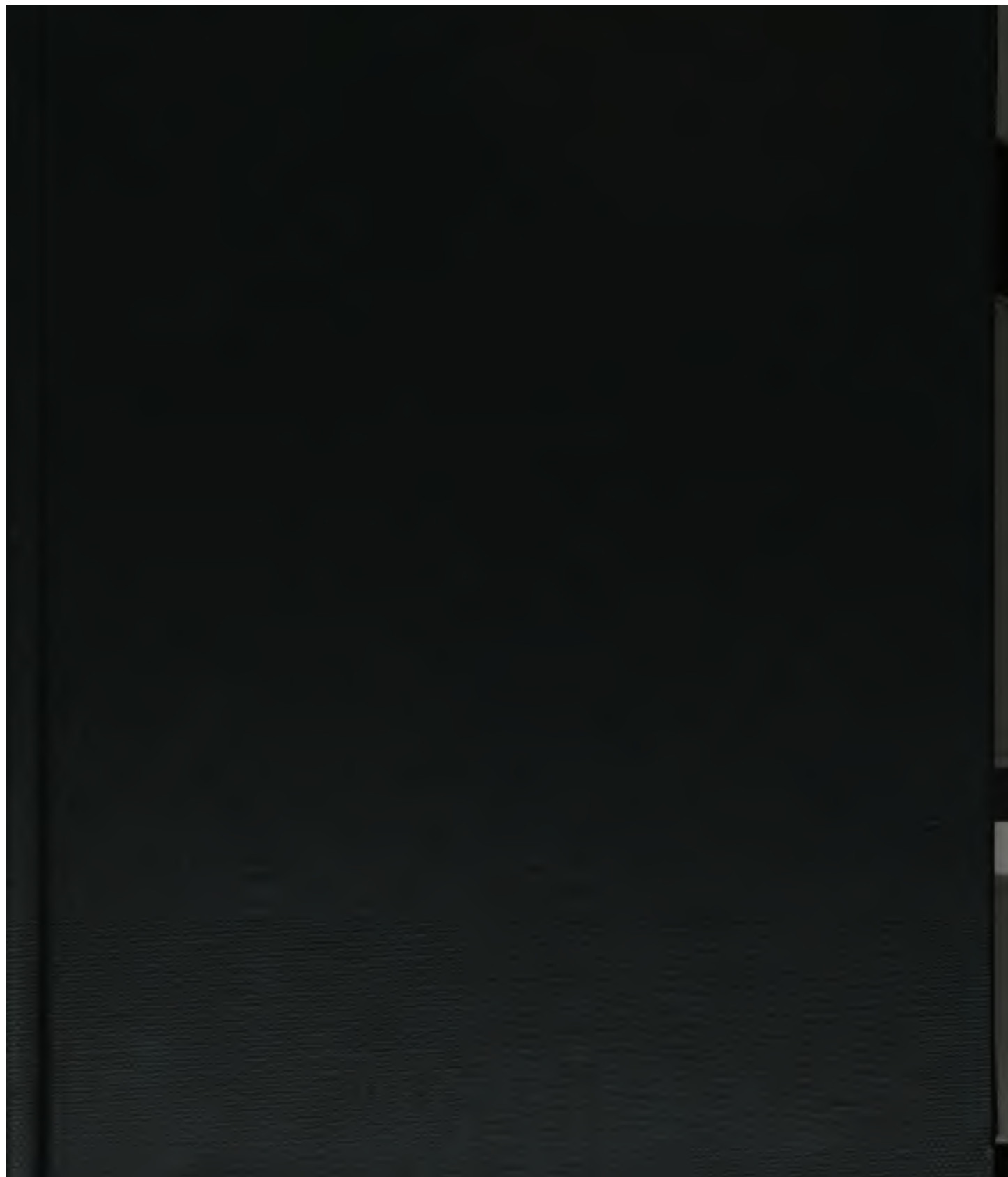
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

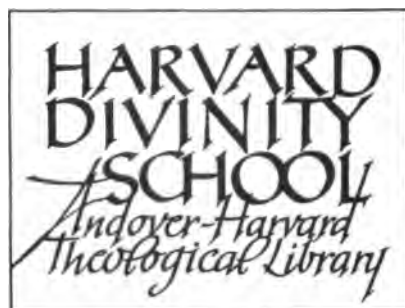
We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>





9779
4-2

COMMENTARY
ON
LEVITICUS.
PART II.

See the Athenæum for May 4, 1851 f.

BY THE SAME AUTHOR.

A HISTORICAL AND CRITICAL COMMENTARY ON THE OLD TESTAMENT WITH A NEW TRANSLATION:

Vol. I. GENESIS — Hebrew and English. 18 s.

Abridged Edition. 12 s.

Vol. II. EXODUS — Hebrew and English. 15 s.

Abridged Edition. 12 s.

Vol. III. LEVITICUS, PART I — Hebrew and English. 15 s.

— Abridged Edition. 8 s.

A HEBREW GRAMMAR WITH EXERCISES:

PART I. The Outlines of the Language, with Exercises, being a practical Introduction to the Study of Hebrew. *Revised Edition.* 12 s. 6 d.

PART II. The exceptional Forms and Constructions, preceded by an Essay on the History of Hebrew Grammar. 12 s. 6 d.

A KEY to the Exercises of the First Part. 5 s.

LONDON:

LONGMANS AND CO.

©

A
HISTORICAL AND CRITICAL
COMMENTARY

ON

THE OLD TESTAMENT,

WITH

A NEW TRANSLATION,

BY

M. M. KALISCH, PHIL. DOCT., M. A.

Yayyikra
— ויקרא — LEVITICUS.

PART II.

CONTAINING CHAPTERS XI TO XXVII,
WITH TREATISES.

LONDON:
LONGMANS, GREEN, READER, AND DYER.
1872.

BS
1255
.K35
1867a
Y.2

• LEIPZIG, PRINTED BY W. DRUGULIN.

~~426.6~~
~~K=isch~~
~~v.2~~

P R E F A C E.

LITTLE remains to be added to the introductory observations of the preceding volume. The same mode of treatment has been adopted in this concluding Part of Leviticus. Here also the text has been illustrated in a threefold manner — by explanatory notes from the Biblical point of view, by a critical analysis, and by a survey of the results considered in the light of science and history. These different features prevail, respectively, in the general notes of the Commentary, in the Philological Remarks, and in the Treatises. The conclusions at which the author has arrived, tend to confirm the opinions which he ventured to express before, and which he has here endeavoured to support by fresh proofs and arguments.

He may be permitted to refer especially to the Essays on the laws of Diet, of Matrimony, and the Festivals, and to the remarks on the Sabbatical year and the Year of jubilee.

As in the course of these enquiries he has been led to discuss and to explain nearly all the legislative portions of the Pentateuch, he hopes to be able to condense the remaining Books of Numbers and Deuteronomy into one volume.

Of this Part also an Abridged Edition is published embodying results, but omitting references and philological criticisms.

Convinced that the strife and confusion of conflicting creeds can only be removed by a careful examination of our religious sources, the author has conscientiously approached the difficulties with which this portion of the Pentateuch abounds; and he would feel amply rewarded, if he should have succeeded, however slightly, in smoothing the path of future investigation.

London, November 30, 1871.

CONTENTS.

	Page
PRELIMINARY ESSAY: ON THE DIETARY LAWS OF THE HEBREWS	1
I. The Prohibition of Blood	2
II. Meat cut out of a living Animal (אבר סך חיה)	9
III. The Prohibition of Fat	12
IV. Meat of Animals that died of themselves (גזל)	14
V. Meat of Animals torn by wild beasts (קצף)	20
VI. The Sciatic Nerve (גיד הנדר)	24
VII. Seething the Kid in its Mother's Milk	28
VIII. Clean and Unclean Animals	40
IX. Supplementary Chapter on the New Testament in reference to the Ceremonial Law	113
CHAPTER XI: Clean and unclean animals	122
TREATISE ON THE LAWS OF PURIFICATION	187
CHAPTER XII: Ordinances concerning women in childbirth	201
CHAPTER XIII: On leprosy of persons and garments and its treatment	214
CHAPTER XIV: Ceremony of purification for a leper after recovery, and leprosy of houses	238
CHAPTER XV: On running issue (זר), and nocturnal accidents of a man; on sexual intercourse; on woman in her courses (קצף), and prolonged or irregular issue of blood (זר זר) on her part	253
TREATISE ON THE DAY OF ATONEMENT: Its Origin, and its Place in the System of Hebrew Festivals	266
TREATISE ON THE DOCTRINE OF ANGELS AND SPIRITS, OR THE MONOTHEISM OF THE BIBLE	283
I. The Ante-Babylonian Time	284
II. The Post-Babylonian Time	287
III. The New Testament	299
IV. The Talmud and the Midrashim	305

	Page
CHAPTER XVI: The ordinances of the Day of Atonement	320
CHAPTER XVII: Supplementary laws on sacrifices and diet	342
ESSAY ON THE MATRIMONIAL LAWS OF THE BIBLE AND THEIR LATER DE-	
VELOPMENT	354
CHAPTER XVIII: Matrimonial and other laws	383
CHAPTER XIX: Miscellaneous moral and ceremonial precepts	403
CHAPTER XX: Ordinances on idolatry and incest	439
CHAPTERS XXI and XXII: Supplementary laws on the priesthood and	
sacrifices	453
CHAPTER XXIII: The Sabbath and the festivals	487
CHAPTER XXIV: Supplementary laws on the service of the Sanctuary,	
the holiness of God, and the inviolability of persons	519
CHAPTER XXV: On the Sabbatical year and the Year of jubilee	533
CHAPTER XXVI: Blessings and curses	578
CHAPTER XXVII: Laws on votive offerings and tithes	613
ON THE ECONOMY, DATE, AND AUTHORSHIP OF THE BOOK OF LEVITICUS	636

II.

PRECEPTS RESPECTING PURITY IN DIET AND PERSON.

CHAPTERS XI TO XV.

A. CLEAN AND UNCLEAN ANIMALS.

CHAPTER XI.

PRELIMINARY ESSAY.

ON THE DIETARY LAWS OF THE HEBREWS.

Scattered throughout the Pentateuch, and occasionally in other portions of the Hebrew Canon, are found dietary rules and suggestions not recommended as measures of expediency from considerations of health, but invested with the solemnity of religious observances and the binding power of moral duties. The dietary laws appear, therefore, to be intimately allied to the system of Hebrew theology; indeed both derive light from each other; and it is highly instructive to trace the connection into which spiritual ideas were brought with practical life, and thus to prove how, by wonderful consistency and energy of mind, the distinctive doctrines of "Mosaism" were made a reality by their concrete embodiment in the ordinary course of existence. In surveying this subject, the following questions are forced upon our attention. How far did the ideas prompt the enactments, and to what extent did practice precede the formation of general principles? Did the latter modify the customs, or did the customs influence the teaching? It will, therefore, be necessary to follow the dietary laws from their origin to their complete development in the Hebrew code, and not only to weigh each ordinance as it is set forth in the Pentateuch, but also to search for its reason,

deeper import, and religious bearing; and above all to pursue its history from the beginning down to the time when it was finally fixed and adopted.

Under these different aspects the commands will be viewed in the following treatise; they will, moreover, be carried on through their Talmudic and Rabbinical expansions, and will be compared with analogous laws or habits of the nations of antiquity and of modern times.

I. THE PROHIBITION OF BLOOD.

The connection between blood and health or life was discovered at an early period; to shed blood and to destroy life soon became equivalent terms; and the maxim was currently and almost proverbially adopted, that "The blood is the soul" or "the life"¹. From remote ages, therefore, a reluctance was felt to eat the blood of animals, especially as a certain cosmic relation was supposed to exist between man and the animal kingdom². When, fatigued by their pursuit of the defeated Philistines, the Hebrews killed cattle and ate the meat with the blood, Saul reproached them with "sinning against the Lord", and guarded against a repetition of the offence³. Nay, according to a thoughtful narrative embodied in the Pentateuch, man, in the primitive time of his innocence, content with vegetables, and unwilling to disturb the harmony of nature by the agonies of death, abstained entirely from animal food⁴; but when, depraved and corrupted by sin, he was, after the Deluge, permitted to kill animals for his subsistence as unreservedly as he had before been permitted to eat all produce of the soil, he was still commanded, "But flesh with its soul, which is its blood, you shall not eat"⁵. So firmly did the teachers of the nation cling to this theory, and so anxious were they to enforce the awe of blood, that they fostered and disseminated the ideal hope, that, as once in the time of Paradise, so also in the age of the Messiah, when peace shall again pervade the world, no creature will bleed and die in the service of man, and that even the animals themselves now fierce and sanguinary, will "eat grass like the ox"⁶. It may be that they deemed, besides, the eating of blood detrimental to gentle-

¹ Deut. XII. 23 וְדָמָם לֹא תִשְׁתֶּה; Gen. IX. 4; Lev. XVII. 11 (וְדָמָם לֹא תִשְׁתֶּה), 14 וְדָמָם לֹא תִשְׁתֶּה; and כל בָּשָׂר דָּמָּה בָּנֶפֶשׁ (בָּשָׂר דָּמָּה); comp. the pagan analogies in Comm. on Levit. I. 126—128.

² Comp. Gen. II. 18—20.

³ 1 Sam. XIV. 32, 33.

⁴ Gen. I. 29, 30.

⁵ Gen. IX. 3, 4; comp. *Joseph. Ant.* I. III. 8; Comm. on Gen. pp. 78, 79, 215, 216; and *infra* Sect. VIII init.

⁶ Issi. XI. 7.

ness and humanity⁷, injurious to health⁸, and, if taken largely, even dangerous to life; nor is it improbable that they saw with disgust the nefarious abuse made of it by heathens for the sealing of oaths and treaties⁹, or for seeking the alliance and aid of demons either by drinking the blood itself, the supposed nourishment of evil spirits, or by consuming the sacrificial meal near the blood, as did the Zabii, who believed that they fraternised with the demons by eating with them at the same table¹⁰: all these reasons combined may have operated to confirm men of intelligence in their hostility to blood as food. But their efforts remained long unsuccessful; not only was their injunction unheeded in the time of Saul, as has been observed; but even in so late an age as that of Ezekiel, we hear the bitter and well-deserved complaint, "Thus says the Lord God, You eat with the blood¹¹, and lift up your eyes towards your idols, and shed blood"¹². Undaunted and by no means discouraged, because too well accustomed to hard struggles with the people's obstinacy, the legislators continued and increased their exertions. For, in the course of time, another motive for the sanctity of blood was added, a motive more powerful and commanding

⁷ Comp. *Philo*, De Concup. c. 10; *Maimon*, Mor. Nev. III. 49; *Lipmann*, Sepher Nitsachon on Lev. XVII. 10, 11, "If any one eats the blood of an animal, his rational soul takes the nature of that animal"; *Bechai* on Lev. XVII. fol. 46^a ed. 1864, "Our nature should be mild and compassionate, and not cruel, but eating blood would engender in our souls coarseness and ferocity;" therefore the Rabbins made Satan the originator of the custom of eating blood (see *Eisenmenger*, Entdeckt. Judenth. II. 620); comp. also *Trusen*, Sitten, Gebräuche und Krankheiten der alten Hebräer, p. 77, "Bei dem Verbot des Blutes lag die moralische Absicht zu Grunde, dass das Blut als die Quintessenz und das eigentliche Substrat des thierischen Lebens dasselbe unmittelbar in das menschliche Leben übertrüge und den Menschen zum Thiere mache."

⁸ Comp. *Galen*, De Aliment. Facult. III. 23, ὁ ὀρεκτικὸν ὄρεσι καὶ κατὰ τὴν φύσιν αἷμα, καὶ ὅτι ἂν

αὐτὸ πρόπον σκευάζει τις; and *Mishn. Macc.* III. 15, וְהָיוּ מְשֻׁמְשֵׁי בָּרִית וְהָיוּ מְשֻׁמְשֵׁי בָּרִית. Similarly the early Greeks seem to have loathed the brains of animals, though some ancient writers thought they abstained from them as being "the seat of nearly all sensation" (ὁ δὲ τὸ τὰς αἰσθητικῶν ἀνδραῖς ἐναυτῶν ἐλκεῖν); *Athen.* II. 72; *Phil.* Sympos. VII. ix. 3.

⁹ Comp. Comm. on Levit. I. 123, 128, 231 note 19. When a Scythian had killed the first enemy, he drank his blood (*Herod.* IV. 64).

¹⁰ *Maim.* Mor. Nev. III. 46; comp. c. 41; *Wisd.* XII. 5; *Kimchi* on 1 Sam. XIV. 32, וְהָיוּ מְשֻׁמְשֵׁי בָּרִית וְהָיוּ מְשֻׁמְשֵׁי בָּרִית. *Schöttgen*, Hor. Hebr. ad Acts XV. 29; *Deyling*, Obs. Sacr. II. 321—327.

¹¹ על הַיָּם וְהָיוּ מְשֻׁמְשֵׁי בָּרִית.

¹² Ezek. XXXIII. 25; comp. Lev. XIX. 26. *Maimonides* (Mor. Nev. III. 46) translates על הַיָּם וְהָיוּ מְשֻׁמְשֵׁי בָּרִית, questionably, "You shall not eat near the blood, assembling round it for idolatrous purposes" (see *supra*).

than any that had before been felt or urged: the blood was made the centre of sacrifice; it was viewed as the indispensable means of atonement¹; representing the life of the animal, it was shed and sprinkled for the sinner's life which was thereby saved; it embodied the leading principle of "life for life", on which the holiest sacrifices were founded; the soul, which God had breathed into the animal, was given back to Him in the place of the worshipper's soul, which His stern justice had a right to demand.

Yet these views did not prevail at once, nor so decidedly. The Deuteronomist, writing towards the end of the Hebrew commonwealth, still adhered essentially to the old conception sanctioned by the traditions of preceding centuries. Permitting the slaughter of animals for food at any place where Israelites might reside, he simply repeated what might as well have been enjoined in the patriarchal time of Noah, "Only be firm (פֶּמָּה) that thou eat not the blood, for the blood is the life, and thou mayest not eat the life with the flesh; thou shalt not eat it; thou shalt pour it upon the earth as water"²: his exhortation "to be firm" not less than the persuasive and encouraging promise which he added, "Thou shalt not eat it, that it may be well with thee and with thy children after thee, when thou doest what is right in the eyes of the Lord"³, prove sufficiently how feeble was his hope of seeing even then the command scrupulously obeyed. Again, in speaking of the sacrifices at the national Sanctuary, he could not well avoid alluding to the disposal of the blood of the altar, but the allusion is so general and indistinct, that it is difficult to discover in it the notion of atonement: "And thou shalt offer thy burnt-offering, the flesh and the blood, upon the altar of the Lord thy God; and the blood of the sacrifices shall be poured upon the altar of the Lord thy God, and thou shalt eat the flesh"⁴. How great is the contrast, if we turn to the injunctions of the later Levitical legislator⁵! He resembles the previous writer in nothing but the rigour with which he denounces the heinousness of eating blood; he almost rises to vehemence, which again and again seeks vent in menaces like these uttered in the name of God, "Whosoever... eats any blood, I will set My face against that soul... and cut him off among his people"; and he repeats both the command and the threat so often and so energetically,

¹ אֵין בַּדָּם חַיָּת; see Comm. on Lev. I. 124 note 4.

² Deut. XII. 23, 24; comp. vers. 15, 16; XV. 22, 23.

³ Deuter. XII. 25.

⁴ Ibid. ver. 27.

⁵ Lev. XVII. 10—14; see the explanations *in loc.*

that it is evident how far the practice was from being eradicated even at his time⁶; and there are indeed clear proofs of its prevalence at much later periods⁷. But in every other respect he markedly differs from his predecessor. Venturing in his demands to the extreme point of insisting, that every beast required for food shall be killed at the common Sanctuary as a sacrifice, in order that the fat may be burnt and the blood sprinkled on the altar, and branding the slaughtering of such animals at any other place as nothing less than murder certain to be punished by excision⁸, he views the blood mainly in its connection with the altar, and in reference to its power of expiation: "The life of the flesh is in the blood, and I have given it to you upon the altar to make an atonement for your souls; for it is the blood that makes an atonement for the soul"⁹. Hence the blood of the victim is simply called "the food of the Lord"¹⁰. For the atoning attributes of all sacrifices, and of the expiatory offerings in particular, were indeed of later growth, but when once conceived, they soon rose to most prominent importance in the sacrificial system¹¹. Again, the Deuteronomist requires nothing more than that the blood of animals killed at home for food, shall "be poured on the earth like water", as he repeatedly states¹²; but the Levitical writer demands that the blood of beasts of the field hunted or caught, and the blood of birds, after having been shed on the ground, shall be "covered with dust"¹³, so that it may be removed from the sight of man, and its trace be concealed, since blood exposed to view "cries to heaven"¹⁴. And lastly, the Deuteronomist addresses the prohibition to

⁶ Lev. XVII. 10, 14; VII. 27; comp. XIX. 26.

⁷ See Comm. on Levit. I. 189 note 12, the quotation from *Philo*, De Concup. c. 10. Penalty of death would certainly have been contrary to the spirit of the Pentateuch; but "excision" (כַּרְס) is hardly a lenient punishment; it is spiritual and civil death, or utter exclusion from the holy community: it was menaced with reference to blood and fat, not because partaking of either "does not do much harm", nor "because men feel no strong temptation in that respect" (so *Maim. Mor. Nev.* III. 41).

⁸ Lev. XVII. 3—9; see Comm. on Lev. I. p. 39.

⁹ כִּי הַחַיָּה הִיא בַדָּם וְהָאֵלֶּה הֵם.

¹⁰ לֶחֶם יְהוָה, Ezek. XLIV. 7, 15.

¹¹ See Comm. on Lev. I. pp. 251 *seq.*

¹² Deut. XII. 16, 24; XV. 23; לָאֵרֶץ כַּמַּיִם; comp. *Talm. Pesach.* 22^b.

¹³ Lev. XVII. 13 וְכִסָּה בְּאֵדָה; comp. *Talm. Chull.* 83^b, and the Rabbinical regulations in *For. Deah* § 28.

¹⁴ Comp. Gen. IV. 10, 11; Isai. XXI. 26; Ezek. XXIV. 7, 8; Job XVI. 18; Comm. on Lev. I. p. 39. Maimonides supposes that the reason of this command also was "to prevent the Israelites from assembling round the blood in order to hold meals."

the Hebrews only, and his fondest expectations seem realised if he can induce them to act upon his warning; but the author of the Levitical ordinance boldly includes in its operation the non-Israelites who happen to live in the Hebrew territory; he uncompromisingly proclaims the law, "No soul of you shall eat blood, neither shall the stranger that sojourns among you eat blood"; he menaces with excision equally the one and the other in case the command is transgressed¹; and he declares the obligation binding "as an eternal statute for all generations throughout all dwellings"². The progress in the conception of the law is manifest; it appears natural and organic — provided the relative age of the component parts of the Pentateuch is rightly estimated.

But now a difficulty arose. As according to the Levitical writer, the chief reason for abstaining from blood, was its connection with the work of atonement, the law could consistently apply to the sacrificial animals only, the ox, the sheep, and the goat, the pigeon, and the turtle-dove, since no other served for expiation. This is indeed the logical consequence. But such restriction would have shocked the feeling and consciousness of the nation, which had long since been taught to avoid the blood of every eatable beast, such as the roebuck and the hart³; and it would have been abhorred by no one more strongly than by the Levitical author himself; he, therefore, so glaringly ignored the perplexing dilemma into which he had been pressed by his new principle, that immediately after its statement he urged, "You shall eat the blood of no manner of flesh"⁴: he seems indeed to have been aware of the untoward difficulty, since, in order to evade it, and to support the universal injunction, he deemed it necessary to fall back upon the old and time-honoured maxim, "For the life of all flesh is its soul". Yet the Levitical view prevailed so far, that the blood of quadrupeds and birds only, but not the blood of fishes, was prohibited⁵, evidently because fishes were never offered as sacrifices⁶, though primitively their blood also seems to have been shunned as representing the soul or the life⁷. The Levitical theory obtained still greater force through Jewish tradition which, considering the subject from every aspect, permitted the blood of clean locusts also⁸, unconcerned at the palpable violation of the

¹ Lev. XVII. 10, 12, 13.

² Lev. III. 17; VII. 26; comp. Exod. XII. 14, 20, 24.

³ Comp. Deut. XII. 15, 16; XV. 22, 23.

⁴ Lev. XVII. 14, *לֹא יֵאָכַל בְּדָם* v. 1.

⁵ Lev. VII. 26, *וְדָם לֹא יֵאָכַל*.

⁶ See the probable reasons in Comm. on Lev. I. p. 81.

⁷ Gen. IX. 4; comp. vers. 2, 3.

⁸ Lev. XI. 22; comp. *Mishn. Kerith.*

fundamental principle that "the blood is the soul"; and starting from the maxim, "The blood by which the life departs atones, the blood by which the life does not depart, does not atone"⁹, Talmudism established the distinction, consistent from the later Levitical, untenable from the earlier physical point of view, between "the blood of the soul" and "the blood of the limbs"¹⁰, the former being that which flows out of the killed animal, the latter that which issues from a wound; and it was decreed that eating the one is punishable by excision, but eating the other merely by stripes as a simple trespass (חטא)¹¹ — which is doubtless against the spirit of the Biblical precept¹².

But Talmudists and Rabbins, measuring the importance of the command by the dread punishment threatened for its neglect, and believing that, in the time of the Temple, even its unintentional transgression required a sin-offering¹³, busily compiled rules and devised precautions to preclude the possibility of even the smallest particle of blood being eaten. With this view they saw fit to fix a most precise method of slaughtering, which partially aimed at allowing the blood to flow out freely and fully¹⁴; they prescribed incredibly minute regulations for soaking and especially for salting the meat, so that the blood might be thoroughly drawn out¹⁵; and they ordered the veins and blood-vessels of the beast to be most carefully removed¹⁶. Some Rabbins, shrinking from no excess, forbid certain parts of clean quadrupeds, because the complex ramification and great delicacy of their veins render a complete removal of them difficult. Those who, in our time, insist upon this rigorous demand, impose upon themselves a heavy responsibility, and they blindly provoke a warfare between the past and the present, the issue of which cannot be doubtful; yet their narrow-minded obstinacy promotes progress in spite of them; for it causes educated Jews to feel more strongly, how utterly incompatible the superstitions and pagan traditions of untutored ages are with the demands of a purer civilisation; for to them the blood possesses neither a cosmic nor a religious sanc-

⁹ דם שחטת יצאנו בו טבוח דם טבוח
דמו, דמו יצאנו בו טבוח, *Talm. Pesach.*
65b; *Mishn. Kerith. v. 1.*

¹⁰ דם השחיטת ודם הנפוח.

¹¹ See *Maimon. De Cibis vetitis VI.*
4; *Yor. Deah* § 67. 1; *Hottinger, Ins*
Hebr. pp. 201, 202.

¹² Comp. in general, *Comm. on Lev.*
I. pp. 121—126.

¹³ *Comp. Mishn. Kerith. I. 1*; see
Comm. on Lev. I. 270 note 1.

¹⁴ See *Comm. on Lev. I. pp.* 187, 188.

¹⁵ *Talm. Chull. 113^a*, אשר שחטנו את
הבהמה יצא הדם ולא את כן טבלנו את
הדם; see the exceedingly
elaborate instructions in *Yorsh Deah*
§§ 69—78; comp. also *Maim. De Cib.*
vetit. c. VI.

¹⁶ By *קריק*.

tity; they attribute to it neither a mysterious connection with the soul of the world, nor the force of atonement.

The Mahommedans, warned by the Koran rigidly to abstain from blood¹, have likewise adopted rules of scrupulous strictness. They eat no animal that dies without a regular effusion of blood, for instance, by a blow, by the throw of a stone, or a fall². A quadruped or bird killed by the point of an arrow or with grape-shot, is lawful; but if killed by an arrow turning round in its flight, it is forbidden. Hence the Turks and Arabs who live in towns, are not partial to game, because they cannot be certain as to the mode of its death³. In some parts of Nubia only, Mahommedans unlawfully partake of the blood of animals, especially cows; they place it over the fire till it coagulates, and then mix it with salt and butter⁴.

When in the early Church disputes arose as to the obligation of the ceremonial Law for converted heathens, both apostles and elders were indeed unwilling to burthen their new brethren with a needless yoke, such as, in the words of Peter, "neither their fathers nor they were able to bear"⁵; yet they all agreed in including the prohibition of blood among the few ritual ordinances unquestionably to be retained from the Jewish faith⁶. The Christians clung long and tenaciously to the observance. "Let your error," writes Tertullian⁷, "blush before us Christians, who do not even consider the blood of animals eatable, and abstain from the meat of strangled beasts and of such as die of themselves, lest we be defiled by blood buried as it were within our entrails". Their heathen persecutors knew their scrupulousness on this point so well, that they employed the eating of blood as a test for discovering their creed⁸. Not before those liberal and anticereemonial views of St. Paul prevailed, to which Christianity mainly owes its unparalleled victories and conquests,

¹ *Koran* II. 168; V. 4; XVI. 116: in one passage (VI. 146), it is called "blood poured forth" دما مفلوجا, that is, fluid blood, in contradistinction to the liver and the spleen, which were supposed to be blood in a solid state (comp. *Al Beidawi* in loc.).

² *Koran* V. 4; etc.; comp. *Mishn. Chull.* III. 1, where among the cases which render a beast unlawful for food, are mentioned חורבין ופגול, and חורבין ופגול.

³ See *Niebuhr*, Beschreibung von Arabien, pp. 178, 179.

⁴ *Burckhardt*, Travels in Nubia, p. 546.

⁵ Acts XV. 10.

⁶ Acts XV. 20, 29; XXI. 25; see *infra* Sect. IX; Comm. on Gen. pp. 215, 216.

⁷ Apolog. c. 9.

⁸ *Tertull.* l. c. Denique inter tentamenta Christianorum botulos etiam cruore distentos ad movetis, certissimi scilicet illicitum esse penes illos, per quod exorbitare eos vultis; comp. *Euseb.* Hist. Eccl. V. 1.

did the Christians free themselves from the inherited obligation. Yet it was again enforced in the second "Trullian" synod held at Constantinople under Justinian II (A. C. 692)⁹, and is still deemed valid by the Greek Church, and by the Copts, who maintain that the apostolic injunction has never been abrogated¹⁰.

II. MEAT CUT OUT OF A LIVING ANIMAL (אבר טרף חי).

Jewish tradition, on this point in harmony with the spirit of the Law, rigorously forbids the eating of a limb or of raw meat cut out from the living animal (אבר טרף חי), whether quadruped or bird¹¹, not only because it is barbarous¹², but because it is inseparable from consuming blood. The Bible contains no express precept on the subject. But the Jewish doctors, anxious, as was their custom, to support their opinion by a Scriptural text, based the prohibition upon the rule addressed to Noah, "Only flesh with its soul, which is its blood, you shall not eat"¹³; or upon the command in Deuteronomy, "Thou shalt not eat the soul with the flesh"¹⁴ — which texts, however, it need hardly be observed, bear no such construction¹⁵. The Talmud signifies its horror of the custom by proscribing it among the so-called "seven laws of the children of Noah"¹⁶, which comprised, besides,

⁹ Between the sixth and seventh Oecumenical Council, and called *σύνοδος πανόικου* or Concilium Quinisextum, but not counted separately, and unrecognised by the Western Church: the 67th canon forbade "the eating of everything strangled under any condition whatever, since the blood is the soul, and he who partakes of it, consumes the soul" (see *Herzog's Real-Enc.* XVI. p. 485).

¹⁰ *Lane*, *Modern Egypt*, II. 188.

¹¹ *Talm.* Chull. 101^b, אבר טרף חי, בבשרו וחי.

¹² Comp. *Maim. Mor. Nev.* III. 48, "It accustoms men to cruelty." In Athens a person was punished who had flayed a ram alive (*Phil. De Esu Carn.* I. 7, ὁ πρὸς φιλανθρωπείαν ἐπισημὸς εἰς δοξαίειαν ἀναστρέφειν αἶμα).

¹³ Gen. IX. 4; see *Talm.* Sanh. 57^a, 59^a; Pesach. 22^b.

¹⁴ Deut. XII. 23, ולא אכלו נפש חיה;

Talm. Chull. 101^b, 102; Sanhedr. 59^a; Pesach. 22^b; *Maim.* De Cib. vet. V. 1; Sepher Hamitsv. negat. precepts no. 182; *Yoreh Deah* § 62; *Heilprin*, Mitsv. Hashem, no. 453.

¹⁵ Yet some modern writers also derive the command from Gen. IX. 4 (so *Rosenm.* *Morgenl.* I. 38, 39; comp. our Comm. on Gen. p. 217), and even (as Gramberg does, *Bel. Id.* I. 330), from 1 Sam. XIV. 32—34 (ואכלו דם), where it is plainly stated of the blood with the flesh of the slaughtered animals; comp. *Kimchi* in loc., who justly insists upon the literal sense of the words, in opposition to the Talmudical explanations adopted by Rashi (אכלו קשרי דם), *Rabba* (אכלו דם), a. o.

¹⁶ טרף טרף חי, or טרף חי, *Talm.* Avod. Zar. 2^b.

disobedience to the laws and authorities (ויניח), blasphemy (ברכת השם), idolatry (עבודה זרה), incest (גילוי ערוה), murder (שפיכות דמים), and plunder (גזל)¹; these prohibitions, forming a primitive code of natural ethics, were considered to have been binding upon all men even before the Mosaic revelation²; and they were also compulsory on the heathen "strangers of the gate" (גרי שער) who lived among the Hebrews³. Yet there can be no doubt that the practice was, and is still, indulged in by savage tribes, as those of Abyssinia and Syria, the Esquimaux and Samoiedes, and it prevailed among the Atticots of ancient Britain, who considered such meat a delicious dainty⁴.

The execrable inhumanity of the custom, which can hardly be attributed to the Hebrews at the time of the Elohist, appears from an account of Bruce⁵ relating what he witnessed on his journey from Axum to the river Tacazze, an account often disputed and long questioned, but subsequently verified by other trustworthy travellers⁶. "The drivers suddenly tript up the cow, and gave the poor animal

¹ *Talm. Sanh.* 56, 57 (where the seven laws are curiously derived from, or are at least, to aid the memory, referred to, the words of Gen. II. 16, ויחַי לְכָל הַחַיָּה מִכֹּל אֲשֶׁר לֵאמֹר וְכָל יוֹמָא 67^b; *Beresch. Rabb.* XXXIV. 2; *Cuzari* III. 73; *Bechai* on Gen. II. 16, p. 23^a ed. Lemb.; *Selden*, de Jure Nat. et Gent. I. 10 (pp. 118—129); VII. 1 (pp. 783, 784); *Heilpran* השם השם fol. 100, 101; *Comm. on Exod.* p. 433. Some doctors included in these laws the mere eating of raw flesh with blood (לֶלֶם בְּדָמָיו), even if the beast had been duly slaughtered; others again advocated additional interdictions, as בָּלֵט, בָּטָט, and בָּרֵט.

² It was supposed that six of them were already enjoined upon Adam, to which the prohibition of אֲכִילָת עֵץ הַדָּעִי was added in the time of Noah; see *Talm. Sanh.* 56^b; *Maimon. De Regib.* IX. 1, comp. 10—12; VIII. 10; and in general cc. IX, X; *De Oib. vetit.* V. 1—9; *Albo*, *Ikhar*. Part III. c. 14 *tail*.

³ It is difficult to express surprise too strongly at finding even recent writers deduce these Rabbinical subtleties from the text in Genesis

(IX. 1—7), and assert that "the seven laws were considered as Noachic already by the narrator" (So, f. i., *Fürst*, *Geschichte der Biblischen Literatur*, I. 115).

⁴ *Hieron. Adv. Jovinian.* II. 7 (II. p. 335 ed. Valarsi): Quid loquar de caeteris nationibus cum ipse adolescentulus in Gallia viderim Atticotos (al. Scotos), gentem Britannicam, humanis vesci carnibus, et cum per silvas porcorum greges et armentorum pecudumque reperiant, pastorum nates et feminarum papillas solere abscindere, et has solas ciborum delicias arbitrari.

⁵ *Travels*, pp. 213, 214, ed. London 1841.

⁶ As Antes, Salt, Jones, and others, see *Roscam.* l. c. pp. 42, 309—311. The currency of the term אֲכִילָת עֵץ הַדָּעִי in the Talmud is sufficient to prove the existence of the custom; and Maimonides observes (*Mor. Nev.* III. 48), that in former times "pagan kings acted thus", and that "it was also an idolatrous rite to cut off a certain member of a quadruped and to eat it."

a very rude fall upon the ground... One of them sat upon her neck, holding down her head by the horns, the other twisted the halter about the fore-feet, while the third, who had a knife in his hand, instead of taking her by the throat, got astride upon her belly before her hind-legs, and gave her a very deep wound in the upper part of her buttock;... then they cut out two pieces, thicker and longer than our beef-steaks;... it was done adroitly, and the two pieces were spread upon the outside of one of their shields. One of the men still continued holding the head, while the other two were busied in curing the wound; the skin which had covered the flesh that was taken away, was left entire, and flapped over the wound, and was fastened to the corresponding part by two or more small skewers or pins;... they prepared a cataplasm of clay, with which they covered the wound: they then forced the animal to rise, and drove it on before them to furnish them with a fuller meal in the evening." — To this may be added a short extract from Salt's narrative⁷: "A soldier, attached to the company, proposed 'cutting out the shulada' from one of the cows they were driving before them;... they laid hold of the animal by the horns, threw it down, and proceeded without further ceremony to the operation. This consisted in cutting out two pieces of flesh from the buttock near the tail, which together... might weigh about a pound; the pieces so cut out being called 'shulada', and composing, as far as I could ascertain, part of the two 'glutei maximi' or larger muscles of the thigh⁸. As soon as they had taken these away, they sewed up the wounds, plaistered them over with cow-dung, and drove the animal forwards, while they divided among their party the still reeking steaks." — Formerly, Arab tribes not unfrequently drew blood from a live camel, poured it into a gut, and ate it boiled — a *black pudding* (*meswadd*), which naturally vanished from the list of Arab delicacies in consequence of Mohammed's law against blood⁹. Nor is our own time free from similar horrors: the ingenious Chinese delight in ducks' feet roasted by forcing the wretched birds to walk over red-hot sheets of iron till the feet fall off; civilised France rejoices in frogs' legs torn from of the living animals; in order to enlarge the liver of geese for the Strasbourg pâté de foie gras, the geese are confined in hot ovens; while the Romans sewed up the eyes of cranes and swans which they

⁷ A Voyage to Abyssinia (1814), pp. 295, 296.

⁸ See Freytag, Lex. Ar. II. 447.

⁹ See *supra* p. 8; comp. Pococke, Spicileg. p. 320; Sale, Koran, Prelim. Discourse, p. 91.

fattened in dark cells or cages¹; some English butchers draw, at intervals, small quantities of blood from live calves which during the time suffer agonizing fits, because by this process the flesh becomes more delicately white; some poulterers pluck the feathers from fowls while alive to make the birds appear plumper when sent to market²; and lobsters, crabs, and sometimes eels, are boiled alive.

III. THE PROHIBITION OF FAT.

The fat of victims, being naturally valued among the richest parts, was from early times devoted to the deity on the altar, both by the Hebrews and other nations³. Yet among the former, it was for long periods not interdicted as food⁴. The Deuteronomist rejected it by no law: in three different passages, in which he mentions and permits the slaughtering of animals for food away from the national Sanctuary, he denies to the owner the blood only, and nothing else — “only you shall not eat the blood”⁵; and in the last “Song of Moses” fat is even enumerated among the choicest dainties⁶. But in course of time, fat, like blood, was currently believed to represent the life and strength of the animal, and therefore to involve its “soul” or principle of existence. Hence, in the Book of Leviticus, the prohibition of the one was repeatedly joined with that of the other: “You shall eat neither any fat nor blood”⁷. Both were enforced with equal severity, threatened with the same awful punishment of “excision”⁸, and ordained as “eternal statutes” to be observed by the Israelites “for their generations throughout all their dwellings”⁹. But here the analogies ended. The prohibition of fat resulted from the consistent development of Levitical theories; it was from the very beginning brought into connection with the advanced sacrificial system; it was never extended to the free and untamed species of

¹ *Plut.* De Esu Carn. II. 1; *Plin.* H. N. X. 23 or 30.

² The *Times* of April 6, 1868, reporting a conviction for this cruelty, records that one poulterer in Salop alone killed in that way between 5000 and 6000 fowls a week.

³ 1 Sam. II. 15, 16; comp. Comm. on Levit. I. p. 320.

⁴ The opinion of Maimonides that “the fat of the entrails is too nutri-

tious, injures digestion, and produces cold and thick blood” (*Mor. Nev.* III. 48, comp. 41), was not shared by the ancient world.

⁵ Deut. XII. 16, 23; XV. 23.

⁶ Deut. XXXII. 14; comp. Comm. on Lev. I. p. 132 note 1.

⁷ Lev. III. 17; VII. 23—27.

⁸ Lev. VII. 25, חַסְדָּהּ וְשֶׁמֶן וְכֹסֶם וְחֵמֶץ וְכָל מִנְיָהּ אֲשֶׁר יִשְׁאָל וְכָל מִנְיָהּ אֲשֶׁר יִשְׁאָל.

⁹ Lev. III. 17.

the clean quadrupeds (רִמָּה)¹⁰, but was always restricted to those set apart for lawful victims¹¹ — to the ox, the sheep, and the goat¹²; it was more especially confined to the fat and the fat parts burnt on the altar as "an offering made by fire of a sweet odour to the Lord"¹³, and therefore described more frequently than the blood as "the food of the Lord"¹⁴, namely, the net of fat spreading over the intestines, and the fat found between the guts and easily detached from them, the two kidneys with their fat, the great lobe of the liver, and, of sheep of the kind *ovis laticaudata*, also the fat tail by which that species is distinguished¹⁵; while the remaining fat, imbedded in the flesh and requiring to be cut out, was probably permitted to be eaten¹⁶, unless the animal had died of itself, or had been torn by wild beasts¹⁷, in which cases the whole carcase was rendered unclean, though the fat could be used for any purpose except food¹⁸. The apparently universal principle and injunction, "All the fat belongs to the Lord"¹⁹, and "You shall not eat any fat"²⁰, are not in contradiction to the more limited command, "You shall not eat any fat of ox or of sheep or of goat"²¹; for they cannot be misunderstood in a code which treats exclusively of sacrificial laws. The Levitical writer, content with giving practical reality to his theories, ordered *all* sacrificial animals, even those destined for food, to be killed as victims at the common altar²², and he declared their fat to be too holy for

¹⁰ Comp. *Talm. Chull.* 59b; *Maimon. De Cib. Vet.* I. 9; etc.

¹¹ חֵלֶב שֶׁנֶּחֱמַד מִן הַקֹּדֶשׁ לֹא יֵאָכַל לֵבֶשֶׁת.

¹² Lev. VII. 23, 25.

¹³ Lev. III. 5, 11, 16; XVII. 6.

¹⁴ Lev. III. 11, 16; Ezek. XLIV. 7; comp. Comm. on Levit. I. p. 7 notes 22, 23.

¹⁵ Comp. Comm. on Levit. I. pp. 489—493. But Jewish tradition decided, with very questionable justice, that the tail of sheep was "called fat only with respect to sacrifices" (*Joreh Deah* § 64. 5), but was not interdicted as food, because the tail of no other quadruped was demanded for the altar — an opinion not shared by the Karaites and opposed by the Samaritan codex (which reads in Exod. XXIX. 22 and

Lev. VIII. 25 חֵלֶב הַזֵּהָבָה, and not as our text חֵלֶב הַזֵּהָבָה); see Comm. I. c. p. 494; comp. also *Geiger, Jüd. Zeitschr.* I. 134, 135; *Fürst, Gesch. des Karäerthums*, I. 84, 85. The arguments by which Ebn Ezra (on Lev. VII. 23) professes to have convinced a Karaite of the lawfulness of eating the fat tail, are by no means tenable.

¹⁶ See Comm. on Lev. I. p. 133 note 7.

¹⁷ חֵלֶב נֶחֱמַד מִן הַקֹּדֶשׁ לֹא יֵאָכַל.

¹⁸ חֵלֶב לֵבֶשֶׁת לֹא יֵאָכַל, Lev. VII. 24; see *infra* Sect. IV, V.

¹⁹ Lev. III. 16, חֵלֶב לֵבֶשֶׁת.

²⁰ Lev. III. 17, חֵלֶב לֵבֶשֶׁת לֹא יֵאָכַל.

²¹ Lev. VII. 23, חֵלֶב שֶׁנֶּחֱמַד מִן הַקֹּדֶשׁ לֹא יֵאָכַל.

²² Lev. XVII. 3 *sqq.*

human consumption: he left out of sight the fat of other clean animals withdrawn from the control of the priesthood¹.

IV. MEAT OF ANIMALS THAT DIED OF THEMSELVES (חֲסִידִים).

The aversion generally felt to partaking of the flesh of animals that have died of themselves (חֲסִידִים)², is so natural, that we may suppose something like a regular custom to have in this respect been fixed from very early times among most nations that passed beyond the first and ruder stages of culture. Pythagoras taught that, in order to obtain purity (ἀγνεία), it was above all necessary to keep aloof from the flesh of beasts that have died of themselves³. The Romans declared, that "Every thing that dies of itself bears the character of sad gloom"⁴; hence their priests were forbidden to wear shoes or sandals made of the skins of animals that had not been regularly slaughtered or sacrificed⁵. Sanitary motives, no doubt, helped to strengthen the antipathy; for the flesh of such beasts is often unwholesome, it was certainly deemed difficult of digestion⁶. But no people embodied and perpetuated their feeling of reluctance so consistently as the Hebrews⁷. As soon as their principal notions with respect to legi-

¹ The subject is more fully discussed in Comm. on Lev. I. pp. 39, 129—133, to which we refer. The infinitesimal Rabbinical regulations, mainly aiming at the removal of certain vessels and skins (קְרִיָּה וְקִרְיָה), in order to obviate the eating of the very least particle of blood or fat, may be seen in *Yoreh Deah* § 64; comp. *Maimon. De Cib. vet. c. VII*; *Mitsv. Hashem fol. 24^b, § קעפ*.

² From חָסִיד cognate with חָסִיד (comp. Jer. IX. 21; Ezek. XXIX. 5), and therefore kindred in meaning with חֲסִידִים carcase (Judg. XIV. 8; comp. 2 Ki. IX. 37; Lat. mortua pecus); it is rendered by the Septuagint σῶμα νεκρὸν, θνήσκουσας; by the Vulg. morticinum; the Koran (II. 168; V. 4; etc.) الميتة; Josephus (Ant. III. XI. 2) κρέας τοῦ τεθνήχοντος αὐτομάτως ζώου; Pseudo-Phocylides (ver. 139) κτεῖνος θνήσκων; the Talmud

(Chull. 94^a, etc.) חֲסִידִים; Rabbag (on Dent. XIV. 21) חֲסִידִים מִמֵּת מִמֵּת מִמֵּת; see Comm. on Lev. I. 553; comp. *Isfra* p. 15 note 9.

³ *Diog. Laert.* VIII. 33, ἀπέχεσθαι θνήσκουσας κρέας; *Aelian*, Var. Hist. IV. 17, ἀπέχεσθαι . . . τῶν θνήσκουσας παντὸς μᾶλλον.

⁴ *Festus* sub Mortuae pecudis: sua morte extincta omnia funesta sunt.

⁵ *Fest.* l. c. Mortuae pecudis coris calceos aut soleas fieri flaminibus nefas habetur, sed aut occisae alioquin aut immolatae; comp. *Talm. Chull. 94^a*, "a man must not sell sandals made from the skin of a beast that died of itself, as if they came from an animal duly killed", etc.; see *Bernays*, Ueber das Phokylideische Gedicht, p. XXIX.

⁶ *Maim. Mor. Nev.* III. 48.

⁷ See Lev. XVII. 15, 16; XXII. 8; Deut. XIV. 21; comp. Ezek. IV. 14; XLIV. 31.

takes of death; and when it expires, it may be considered in a state of unnatural decay. Eating of such flesh was, therefore, nothing less than contamination, sinful for a people which owes allegiance to the God of eternal life. "That which dies of itself... the priest shall not eat to defile himself therewith; I am the Lord"¹. It was deemed so utterly incompatible with the character of the "kingdom of priests", that the commands were step by step made more stringent and more universal. In Deuteronomy, the law is still limited to the Israelites; and these were permitted to sell the meat of נבלה, nay to offer it for food, to the strangers living within the Hebrew communities themselves². But in Leviticus, the prohibition appears in an infinitely more decided form: it was extended to the stranger, and in every respect equalised with regard to the Hebrew and the non-Hebrew; both were, in cases of transgression, subjected to the same rules of purification and the same penalty. "And every soul that eats that which died of itself, ... whether it be one of your own people or a stranger (באשר ובער), he shall both wash his garments and bathe himself in water, and be unclean till the evening; then he shall be clean; but if he does not wash them nor bathe his flesh, then he shall bear his iniquity"³. This was the case even if the beast was by the Law permitted for consumption⁴. Then such meat was regarded as inherently unclean; its very touch caused defilement, which did not cease before the end of the day, whether the animal belonged to a lawful species⁵ or to the prohibited kinds⁶; and carrying the carcase engendered a higher degree of uncleanness, to be removed by washing of the garments.⁷ With regard to certain pre-eminently loathsome animals, the Law ordained even more rigorous rules: all objects upon which their dead bodies fell — as vessels of wood or metal, skins, textures of wool or goats' hair — were declared unclean, they were for purification to be placed in water till the evening;

¹ Lev. XXII. 8, לֹכֵסֶתָּהּ בָּהּ; comp. Ezek. IV. 14. Pseudo-Phocylides introduces our command (Μη. φαγῆναι θνητὸν βερίην κατὰ λίτραν ἑλγαι, where Bernays l. c. p. XXVIII proposes to read κατὰ μέτρον) by the solemn warning Ἐγκαταίξῃς ἑστέον ἔχουσιν, τὸν λαβόντα δ' ἀπὸ γαστρῆς (ver. 145). Whether the words אִשָּׁה נָשָׂא in the 17th line of the sacrificial tablet of Marseilles, imply a similar interdiction with respect to

the Carthaginian priests, is more than doubtful (comp. *Movers*, *Opferwesen der Karthager*, p. 117).

² Deut. XIV. 21, בָּרֵךְ בְּשֵׁךְ אֶת הַבָּרִיָּה וְאֶת הַבְּרִיָּה וְאֶת הַבְּרִיָּה; comp. *Talm. Pesach*. 21^b; Chull. 114^b.

³ Lev. XVII. 15, 16.

⁴ Lev. XI. 40; see notes in loc.

⁵ Lev. XI. 39.

⁶ Lev. XI. 8, 24, 26, 27, 31, 36; Deut. XIV. 8.

⁷ Lev. XI. 25, 28.

but if they fell into an unglazed *earthen* vessel, which, from its porous nature, easily absorbs fluids, not only the whole contents of that vessel became unclean, but the vessel itself was to be broken in pieces, lest it be again used; and if by chance a liquid had come into any such utensil, whether earthenware or not, or if moist food had been put into such earthen utensil, the liquid and the food became unclean and unlawful. Ovens or stoves, because made of earthenware, were subjected to injunctions of similar severity; they were to be broken if any part of a carcase had fallen upon them; while other and scrupulously minute ordinances prove the punctilious care with which the matter was treated⁸. Thus any food, though permitted in itself, might be rendered unlawful by contact with impure objects; and the same was the case, if a vessel without lid or covering was allowed to stand in a room in which a man had died within seven days⁹. And as a last step, rigorous Levitism enforced a sin-offering, when unclean carcasses had even accidentally and unwittingly been touched, which, in cases of intentional contact, implies the penalty of spiritual excision — an enactment excessive in severity and all but impracticable¹⁰. That the law concerning נבלה was, not even in the time of the Deuteronomist, prompted by merely sanitary considerations, is evident from the permission granted to sell such meat to the stranger "that he might eat it"¹¹: a code evidencing the most considerate humanity towards strangers, and enjoining "Thou shalt love the stranger as thyself"¹², would not have assigned to him food injurious to health, and for this reason to be shunned

⁸ Lev. XI. 29—38; see notes in loc.

⁹ Num. XIX. 14, 15. The food thus contingently disqualified is by the Talmud called נבלה טמאה, in contradistinction to טמאה טמאה or food unconditionally forbidden; comp. the analogous laws of the Hindoos (*Yajurveda* I. 167—169; *Manu* IV. 207—211): the Brahmin is to abstain from food that has turned sour, has been touched by a dog, looked at by a fallen beast, or approached by a woman during her menstruation.

¹⁰ See Lev. V. 2, and notes in loc.; also Comm. on Lev. I. 41, 42. It is, therefore, difficult to see how the laws of Leviticus concerning נבלה

can be understood as "more lenient" than those of Deuteronomy (*Graf*, *Gesch. Büch. des A. T.* p. 67; comp. *Rieser* in *Stud. u. Krit.* 1868, p. 360). Some Karaite authorities, as Anan, taking the term נבלה to mean a complete carcase, but not parts of it, consider defilement to be wrought only by touching the former, but not by touching the latter: otherwise the Karaites are particularly strict with respect to נבלה (see *infra*).

¹¹ Deut. XIV. 21, נבלה.

¹² Lev. XIX. 34; comp. *Talm. Pesach*. 21^b, גי אמה נבלה ליהודי, derived from Lev. XXV. 35, גי אמה נבלה ליהודי.

by the Israelites¹. All who lived in the Promised Land were more and more decidedly included in the holy community, and made to share its attributes and its duties. The "perfect" life in God demanded perfection in every creature that helped to support that life. The prohibition of נבלה was, therefore, repeated by Ezekiel, especially with reference to the priests²; it was, by apostolic council, retained in the early Christian Church³, and adopted by the second "Trullian" synod⁴; it was enforced by Mohammed⁵, and laboriously developed by Jewish tradition. The Sadducees, and like them the Samaritans and the Karaites, were particularly scrupulous in neither touching nor applying to useful purposes any kind or part of נבלה and טרפה, such as skins or bones; whence they shrank even from taking up Greek books, because the parchments were made from the skins of unlawfully killed animals⁶. The Pharisees, less strict on these points, limited the interdiction, as a rule, to the flesh only, and like the Koran, permitted even the flesh of animals killed when near their natural death⁷, though they indeed considered it meritorious not to hasten the slaughter of such suspected beasts⁸. But they fixed

¹ Yet some Rabbins object to selling נבלה or טרפה to a non-Jew, first because the latter might be misled to the belief that it is clean and lawful food, and then because he might sell it again to a Jew (*Talm. Chull.* 94^b, אר"י אומר שמי שמוכר נבלה לכוהן או ללוי או לגוי אינו עובר; see, however, *Eisenmenger*, *Entd. Judenth.* II. 632—635, 638).

² *Ezek.* XLIV. 31; comp. IV. 14; see *Talm. Menach.* 45^a, where the apparent restriction of the command to the priests is declared hopelessly perplexing (אין אנו יכולין להבין פירושו).

³ *Acts.* XV. 20, 29; XXI. 25 (אנחנו לא נאמר שום דבר).

⁴ See *supra* p. 9.

⁵ *Koran* II. 168; V. 4; VI. 146; XVI. 116; *الخمر*. The heathen Arabs were in the habit of eating meat of beasts that had died of themselves, which practice was strongly opposed by the sect of the Hanafite (comp. *Sprenger*, *Leben und Lehre des Mohamm.* II. 476).

⁶ *Mishn. Yad.* IV. 8; *Talm. Shabb.* 108^a.

⁷ That is, of טרפה "beasts in danger", also called טרפה-כח "kill, kill!"

⁸ *Talm. Chull.* 37, 44^b; *Syr. Vers.* in *Ezek.* IV. 14 (חיה, a sick or weak animal) and XLIV. 31 (חיה id.); *Maimon. De Cib. vet.* IV. 12. — Later Rabbins specified fearful punishments sure to befall the person eating נבלה, such as the banishment of his soul into the body of a dog or other animals; for they considered both נבלה and טרפה as "stricken by the power of destruction" (כח השחית), or Satan (*Bechasi* on *Ex.* XI. 7, fol. 31^b ed. 1864; comp. *Eisenmenger*, *Entd. Judenth.* II. 617, 638—640). See *Koran* V. 4 ("except what you kill yourselves", i. e. if the beast was duly killed while still alive"); *Lanc.* *Mod. Egypt.* I. 132 ("when game has been struck down by any weapon, but not killed, its throat must be immediately cut; otherwise it is unlawful food"); *Nieb.* *Beschr. v. Arab.* p. 180 (fishes also are usually killed by cutting them near the head, before they die of themselves); comp. *Geiger*, *Jüd. Zeit-*

eighteen defects which were alleged to have been pointed out by God to Moses⁹, and which, if discovered at the examination of the slaughtered animal, were supposed to bring it under the category of נבלה, and to render it unlawful for food, in as much as they were deemed sure to cause its death within one year. Those defects are — If the gullet (וושט) is perforated, however small the hole, or the wind-pipe (והיריון) is torn crossways for the greater part; if the membranes (the *dura mater* or *pia mater*) of the brain (ומוח) or the ventricle (בית חללי) of the heart is pierced; if the spine (והסדרה) is broken or its ligaments are torn; if the liver (והכבד) is entirely or nearly wanting; if the lungs (והריאה) are perforated or defective in the lobes; if the stomach, or the gall-bladder (והסדרה), or any part of the viscera (והקיץ), or the abdomen, is perforated, or the outer skin which covers the latter is torn for the greater part; if the paunch (והסוס) and the "fourth stomach" (בית וכוסיה) ¹⁰ are damaged so that they are visible from without; if the beast has fallen from the roof of a house; if the greater part of its (twenty-two) ribs are broken; and if it has been struck by the claws of a wolf or lion, or, in the case of a fowl, by a bird of prey ¹¹. In fact, the general rule was established, that "Every animal is unlawful, which is afflicted with a defect of such a nature, that no beast of the same species could live under similar circumstances" ¹². We have enumerated the cases — which of course require revision and correction as the science of pathology advances — because they convey a good notion of the anxious attention bestowed upon this matter by the Jews — a scrupulousness highly laudable in so far as it ensures wholesome meat, and commendable by its undeniable and excellent results in times of epidemics ¹³, but exaggerated especially by the Talmudical and Rabbinical additions, which increase the number of fatal blemishes to seventy ¹⁴, and are practically oppressive by their excess ¹⁵: those who read, for instance, the complicated rules setting forth, how the slaughtered animal must kick and palpitate in order to be lawful ¹⁶, will admit that here again

schrift II. 21—24; IV. 54; Hechaluz IV. 18 sqq.; Zeitschr. der Deutsch. morgenl. Gesellsch. XVI. 717 sqq.

⁹ *Talm.* Chull. 42^a; see *infra* p. 23.

¹⁰ *Huustpov*; comp. *Aristot.* De Part. Anim. III. 14; *Aristoph.* Equit. 856, 1179.

¹¹ *Mishn.* Chull. III. 1; comp. *Siphra* fol. 48^b ed. Schlossb.

¹² וכל נבלה כל שנתה וזוהי נבלה.

¹³ Comp. *Kayserling*, Die rituale Schlachtfrage, pp. 18, 19.

¹⁴ See the overwhelming details in *Yorch Deah* §§. 29—60.

¹⁵ Comp. Comm. on Lev. I. p. 188.

¹⁶ *Maim.* De Cib. vet. IV. 13, 14: "The kicking must take place at the end of the slaughtering; at the beginning, it is of no value. Now, of what nature must the palpitation

Jewish tradition defeated a valuable principle by frivolous playfulness¹.

V. MEAT OF ANIMALS TORN BY WILD BEASTS (חַיָּוָה).

In nearly every respect analogous to the meat of animals that have died of themselves (חַיָּוָה) is, with regard to motive, law, and history, the meat of animals, whether quadrupeds or birds², torn by beasts of prey (חַיָּוָה)³. Both therefore are repeatedly mentioned and treated of together⁴; for both were primitively avoided partly from an instinctive feeling of disgust, partly from fear of unwholesomeness, men naturally recoiling from "sharing a feast with untameable beasts, and thus becoming almost fellow-revellers in their carnivorous festivals"⁵. Both were proscribed by the religious legislators of the Hebrews with a consistency attempted by no other nation; for the *חַיָּוָה* also was probably rejected because the animal's death was attended with an imperfect efflux of blood; it was, in the Levitical code, likewise regarded as causing defilement⁶ and hence deserving detestation from the people of God, "You shall be holy men to Me, and you shall eat no flesh that is torn by beasts in the field, you shall cast it to the dogs"⁷; it was equally prohibited to the native Israe-

be? If a small domestic quadruped, or a larger or smaller beast of the forest, stretches a fore-foot forward and draws it back, or if it stretches a hind-foot forward, though it does not draw it back, or if it merely bends a hind-foot, it has kicked in the lawful way, and is permitted for food: but if it only stretches a fore-foot forward and does not draw it back, it is forbidden"; etc. etc.

¹ Comp. *Talm. Chull.* 32^b; *Zevach.* 69; *Maim. De Cib. vet.* IV. 1—5, 8 *seq.*

² Ezek. XLIV. 31.

³ Or more fully *חַיָּוָה חַיָּוָה חַיָּוָה*, Exod. XXII. 30; Sept. less decidedly but uniformly *χρῆας θηριόδοτον caught* by wild beasts (Pseudo-Phocylides ver. 147 *θηριόδοτον*, modified for the requirements of the verse), and so Vulg. generally *captum* a *bestia* or *bestiis*; yet in Ezek. IV.

14, *laceratum a bestiis*; comp. Comm. on Exod. p. 441. — The prohibition was, later, naturally extended to beasts killed at any place and by whatever act of violence (*כל הבהמה אשר ינצח או ידח או יפגע*); comp. *Hotting. Jus Hebr.* pp. 99—103.

⁴ Lev. XVII. 15; XXII. 8; comp. Ezek. IV. 14; XLIV. 31.

⁵ Comp. *Philo De Concupisc.* c. 10: τὸ μὲν ὡς οὗ δέον κοινοῦναι τροφῆς ἀνθρώπων ἀνθρώποις θηρίοις, μόνον οὐ συνευχόμενον ταῖς σαρκολαίς τὸ δὲ ὡς τέχνη μὲν βλαβερὸν καὶ νοσηρὸν, ἀναποταθνηκὸς τοῦ ἰχθύος μετὰ τοῦ αἵματος κτλ.

⁶ Lev. XXII. 8; comp. Ezek. IV. 14.

⁷ Exod. XXII. 30. This is expressed by Pseudo-Phocylides (vers. 147, 148), Μηδέ τι θηριόδοτον βάσει χρῆας, ἀργί- ποισιν δὲ λείψανα λείψα καὶ σὺν, after which he emphatically adds θηριό- δυο θῆρας εἶδοντα.

lite and to the heathen stranger; the uncleanness produced by partaking of it was also to be removed by bathing and the washing of garments, and the neglect of these ceremonies was visited with the like menace, "He shall bear his iniquity"⁸.

But from this point the precepts diverge; the particular injunctions, so nice in gradation, with respect to touching נבלה or to the defilement of the objects coming into contact with it, are not repeated with regard to טריפה; of the latter evidently a more lenient view was taken in reference to Levitical purity; an animal torn to pieces by another may have been healthy in itself; it may not, like that of נבלה, have harboured within it the seeds of corruption; its carcase, therefore, though impregnated with coagulated blood, and unclean on account of its abnormal or mangled condition, was regarded less as infected with putridity, and therefore less noxious by contact than the carcase of an animal which, even while living, seemed to be in a repulsive state of decomposition⁹. Hence we may understand why some nations, as the Hindoos, were not so strict on this point; for the law of Manu pronounces as pure the flesh of beasts killed by dogs or other carnivorous animals, or by men of the mixed classes¹⁰, who live upon the chase¹¹. Yet the first comprehensive decree of the apostles no doubt included in the term "strangled" (πνιχτόν) both נבלה and טריפה, and interdicted to the gentile converts the latter as well as the former¹²; this is the more probable, as, in Jewish phraseology, both terms became gradually almost convertible¹³. The Koran expressly prohibits any creature that has been killed by the horns of another, or has been attacked by a wild beast, though it permits the beast for food if it does not actually die during the assault, and is afterwards duly slaughtered¹⁴. These rules were developed and multiplied by Mahomedan teachers, who enjoined, for instance, that if a dog has tasted of the blood merely of game, the latter is not unlawful (*halâl*), but if of the flesh also, it is prohibited (*harâm*). They distinguished

⁸ Lev. XVII. 15, 16.

⁹ Comp. *Talm. Chull.* 68^b; *Macc.* 18^a; *Maim. De Cib. vet.* IV. 6 *sqq.*; *Mitsv. Hashem* §. 73. — It is an artificial view to associate in these laws the death of the beast and the sin of man, the one being the reflex of the other, so that, for instance, נבלה should be avoided in order to remind man of his iniquity and to enhance his detestation of it (so

Keil, Archaeol. II. 18 *sqq.*; *Baumgartl. Theol. Comm.* II. 154, 155; a. o.).

¹⁰ The Chaudalas; *Manu* X. 12, 16.

¹¹ *Manu* V. 131.

¹² Acts XV. 20, 29; *XXI.* 25; comp. *Tertull. Apolog.* c. 9. The present Copts "abstain from the flesh of animals that have been strangled" (*Lane, Mod. Egypt.* III. 188).

¹³ See p. 15 note 9.

¹⁴ *Koran* V. 4.

two principal modes of killing, one by cutting the throat next the head, when the windpipe, the gullet, and carotid arteries must be thoroughly divided¹; and the other more approved method, especially employed in killing camels, by spearing the beast in the hollow of the throat near the breast-bone². During the act of slaughter the words, "In the name of God, God is most great" must be pronounced, or some similar terms, but never the phrase, otherwise so common, "In the name of God, the Compassionate, the Merciful," since it is considered cruel mockery to allude to attributes of mercy, while inflicting severe sufferings upon an animal. Tame birds must be killed in the same manner as cattle; the wild species, like the hare, the rabbit, the gazelle, and other game, may be shot, or killed by a dog; but in the latter case, the name of God must be uttered by the person while discharging the arrow or spear, or while slipping the dog³.

That the Old Testament never prescribes any special mode of slaughtering, needs no repetition in this place⁴. One observation may suffice. Animals killed in the chase, utterly unlawful as *חיה טמא* according to the Rabbins, were, according to the Pentateuch, considered lawful, not only by the patriarchs, as Isaac, who before bestowing his prophetic blessing, commanded Esau, "Take, I pray thee, thy weapons, thy quiver, and thy bow, and go out to the field, and hunt for me some venison"⁵; but even by the latest and most advanced Levitical legislator, who merely demanded, that the blood of the hunted animal should be carefully poured upon the ground and covered with dust, without forbidding the game itself⁶. Now those not initiated in Talmudical deductions might well consider it incredible, that a system of most complicated rules should be derived from the text

¹ This is termed *זביח*.

² Termed *קריעה*; and so *Mishn. Chull. V. 8* (*קריעה*); *VI. 2*; *Talm. Chull. 17^a*; see *Hamilton's* transl. of *The Hedaya* or *Guide*, a comment. on the *Musliman's* laws, IV. 72.

³ *Lane*, *Modern Egypt*. I. 131, 132.

⁴ See *Comm. on Lev. I. 187—189*; comp. *Geiger*, *Wissensch. Zeitschr. VI. 67* ("auch die Schlachtregeln haben nicht die geringste Begründung in dem Bibelwort"); *Jüd. Zeitschr. I. 171* ("Von dem Schlachten spricht die heilige Schrift mit keiner Sylbe, von den Fehlern, welche sonst zum Genusse erlaubte Thiere und Vögel

untauglich machen, mit keiner Sylbe"). Anan and all later Karaites considered the slaughtering ritual as a mere traditionary inheritance (*מנהג אבותינו* or *מנהג*) from their ancestors (comp. *Fürst*, *Kärkerth*. I. 52). Yet even Rabbis of our time have the courage to declare that ritual to be "a law founded in Scripture" (*Keyserling*, *Die rituelle Schlachtfrage*, 1867, p. 93; comp. p. 17, "das mosaische Gesetz, das Thier nach bestimmten rituellen Vorschriften zuzuschlachten")¹.

⁵ *Gen. XXVII. 8*.

⁶ *Lev. XVII. 13*; see *supra* p. 5.

has indeed been declared free from the reproach of unnecessary cruelty by the highest medical and veterinary authorities¹. Yet those rules were also partially prompted by a superstitious awe of blood which it was deemed imperative to make flow out rapidly and completely; and feigning to be Divine, they demand implicit observance in the smallest detail and unchangeableness at all times; they brand every other method of killing as an abomination, shut the door to any improvement which experience or science might recommend, and form one of the strongest social barriers between the Jew and his fellow-man.

VL THE SCIATIC NERVE (גֵּיד הָאֵשֶׁר).

A custom prevailed among the Hebrews, apparently from a very early date, of not eating the sciatic nerve of animals (גֵּיד הָאֵשֶׁר)². What was the origin of a practice apparently so curious? The sciatic nerve forms the continuation of a large aggregate of nerves uniting at the hip, and known under the name of *plexus ischiadicus*: issuing from the nether extremity of the hip, it extends, in nume-

¹ See the numerous opinions collected by *M. Kayserling* l. c. pp. 29—90, comp. pp. 17 *sqq.*; see also *H. Engelbert*, *Ist das Schlachten der Thiere nach jüdischem Ritus wirklich Thierquälerei?* 1867; *Frankel's Monatschr.* 1856 pp. 299—304; 1867 pp. 93—100, 473—476; *Ergänzungsblätter* II. pp. 247, 248. Many will remember the issue of the complaints raised, in 1855, by the Society for the Prevention of Cruelty to Animals, and pronounced invalid by the Lord Mayor's Court, when the judicious decision of Sir Peter Laurie averted great dissatisfaction; comp. the thirtieth annual Report of the Society, pp. 49 *sqq.*, and the daily papers of October 17, 1855.

² Or *nervus ischiadicus*: נֶרֶב corresponds to the Arabic ل (the Samaritan codex reads נֶרֶב), which Kamuz explains (according to *Freytag*, *Lexic. Arab.* IV. 277) "nervus seu tendo qui per femur ad talos fertur", and hence took probably, like

נֶרֶב, the sense of thigh or hip, so that נֶרֶב הָאֵשֶׁר would be the nerve of the hip. The ancient versions afford little help; they either retain the word (Onkel. and Jonath. נֶרֶב הָאֵשֶׁר, Saad. عرق النسا, though عرق is inappropriate), or they venture strange etymological conjectures, as *nervus muliebris*, נֶרֶב being curiously connected with נֶרֶב and נֶרֶב נְחִיָּה (in Jerem. LI. 30); this interpretation is in some measure countenanced by the renderings of the Sept. and Vulg. τὸ νεῦρον δὲ ἐνδερυνεν and *nervus qui emarcuit*, that is, the paralyzing or spasm-producing nerve, but it derives slight support from the doubtful meaning *to be torpid* attributed to the root נֶרֶב; yet it has been adopted by some modern scholars also (comp. *Gesen. Thesaur.* pp. 921, 922). Hence it is easy to estimate the value of translations such as *nervus contractionis* and *oblivionis*, *resolutus* and *luxatus*; *Spannader* (Luther); a. o. But more hazardous still

rous ramifications, to the hollow of the knee, and then runs, in new divisions, down to the lower parts of the foot³; therefore, if injured, it necessarily causes lameness. Moreover, it is decidedly the largest and thickest nerve not only in the lower limbs, but in the whole body⁴; it was probably the first, and for a long time, perhaps, the only one noticed and examined in its operation. Hence it might, both from its extent and its size, well be taken to represent the chief manifestation of life, or locomotion, which naturally appeared to primitive observers the most decisive characteristic of the animal creation⁵; it was on this account deemed too holy for food, just as blood and fat were excluded because supposed to represent life itself. We thus find ourselves in a familiar circle of ideas — the sanctity of life and its organs — ideas developed with a consistency commensurate with their imagined importance.

But a merely physical reason never satisfied the Hebrew mind long; it was usually strengthened and sanctified by a spiritual notion or a historic event. Now in order to invest the abstinence from the sciatic nerve with a higher sanction, it was traced to an incident in patriarchal history, and it was supported by that fanciful, nay eccentric legend embodied in an Elohistic portion of Genesis⁶, which records a remarkable bodily struggle between God and Jacob: a legend so entirely composed of grossly pagan features, that it sounds strange even amidst the miraculous tales of the Pentateuch. Who can read without surprise how God, powerless to overcome His human antagonist, like Zeus in his struggle with Hercules at Olympia⁷, at last disabled him by touching his thigh at the sciatic nerve and thus bringing it out of joint; how He then addressed a helpless appeal to Jacob to dismiss Him, to dismiss Him "because the morning dawn rises" — just as in Hindoo and northern mythology spirits who visit the earth by night, hurry away in trembling at the first approach of morning⁸. And yet the

is the Talmudical explanation "the nerve that bounded from its place and rose" (נֶרֶב שֶׁבָּרַח מִמָּקוֹמוֹ וַיִּשָּׂא Talm. Chull. 91^a, which words are interpreted by Kimchi s. v. נֶרֶב שֶׁבָּרַח מִמָּקוֹמוֹ וַיִּשָּׂא; see also *Rashi* on Gen. XXXII. 33); and so Engl. Vers.

³ Comp. *Wiegand* in *Ersch und Gruber's Encycl.* II. xi. 398—402; see also the exposition of *Rashi* on Talm. Chull. 76^a.

⁴ Therefore Josephus (*Antiq.* I.

xx. 2) expresses it, not inappropriately, if vaguely, by τὸ νεῦρον τὸ πλατὺ; and so Jerome (*Advers. Jovinian.* I. 19, ed. Valarsi II. 268, πλατὺ νεῦρον).

⁵ Comp. Gen. IX. 3, where the term נֶפֶשׁ the *moving* beings comprises all animals, and is explained by נֶפֶשׁ חַיָּה.

⁶ Gen. XXXII. 25—33.

⁷ See *Nonnus*, *Dionys.* X. 376, 377.

⁸ Compare *Vendid.* XVIII. 36, 40; and the remarks of *Spiegel* on § 52;

legend, or rather the skilful hand that wove it into the narrative, so accurately preserved the designing character of Jacob, that the latter, having gained an advantage over an opponent whose power of bestowing gifts he instinctively felt, insisted upon receiving a blessing, and this was granted to him by the change of his name from *Jacob* (יַעֲקֹב), the Second and the Deceiver, into *Israel* (יִשְׂרָאֵל), the First and the Conqueror¹; so eager were writers of a later age to exalt their national institutions and to glorify their ancestors, regardless of historical impossibilities and difficulties of language². The myth of Jacob's struggle with a supernatural being on his return from Mesopotamia, originated perhaps in Babylon, like the tale of the angelic hosts seen by the patriarch immediately before at Mahanaim³; for the regions of the Euphrates and Tigris were the home of hero-fights with gods, an echo of which is discernible in the Biblical story of the tower of Babel: but that myth seems certainly to have obtained a powerful hold upon the Hebrews. It occurs again in the Book of Hosea; there, however, it appears in a modified form; God wrestles with Jacob *through an angel*, and Jacob conquers indeed,

see also *Philostratus* Apollon. IV. 16 fin.; *Shakesp.* Hamlet I. i. 157 (it faded on the crowing of the cock); v. 58 (but soft! methinks I scent the morning air; brief let me be); *Bürger* Lenore (Mich dünkt, der Hahn schon ruft . . . Ich wittre Morgenluft); *Goethe* Faust I fin. (Meine Pferde schauern, der Morgen dämmert auf). The passage *Plant.* Amphitr. I. iii. 35, 36 (Quor me tenes? Tempus est; exire ex urbe prius quam luceat uolo) is not to the purpose. No wonder that Jewish writers attempted allegorical explanations of the story, which they believed to symbolise the enmity between the Israelites and the heathen nations, and to foreshadow the ultimate victory and glory of the former.

¹ On the meaning and importance of the myth in the economy of Jacob's life, see Commentary on Genesis pp. 568—570.

² For the name יִשְׂרָאֵל evidently means "God rules", and is synony-

mous with יְהוָה and אֱלֹהִים (2 Sam. VIII. 17; Jer. XXXVI. 26); comp. אֱלֹהֵינוּ *God plants*, אֱלֹהֵינוּ, אֱלֹהֵינוּ, etc., and even in two words, as אֱלֹהֵינוּ *God enlarges*, the name of a valley in Zebulun (Josh XIX. 14, 27); אֱלֹהֵינוּ (Gen. XXII. 14) etc.; but for the sake of the legend יִשְׂרָאֵל was explained to signify "he combats with God", in which manner (with the simple accus.) the verb יָרָא is construed nowhere else, except in the parallel passage Hosea XII. 4, אֱלֹהֵינוּ יָרָא יִשְׂרָאֵל comp. Comm. on Gen. p. 570. Indeed another document simply relates the change of name from Jacob into Israel, without any etymological explanation (Gen. XXXV. 9, 10). Knobel (on Gen. p. 233) observes, "By the Divine contact the sciatic nerve was sanctified, and therefore belonged to God", but this remark does not explain why that nerve was conceived to possess a sanctity which could give rise to a legend concerning the Divine contact.

³ Gen. XXXII. 2, 3.

but he must entreat for the blessing with tears⁴: thus in the interval between the time of the historian and that of the prophet, some of the more offensive features of the legend had been mitigated⁵.

Yet the custom of abstaining from the sciatic nerve was never raised into a law, and it is never again alluded to in the Old Canon; Hosea who mentions the struggle, connects with it no consequences for the person of the patriarch or the life of the Hebrews. The custom possibly fell later into disuse; it therefore found no place in the legislative and moral portions of the Pentateuch, although, as has been pointed out, it might easily have been associated with fundamental and familiar notions; its neglect may have been owing to the progress in accuracy of observation, when it was understood, that the vital functions of movement do not depend upon one nerve, however large and important, but upon the normal action of the whole and complicated tissue of nerves⁶. Indeed, a most material change must have taken place from the time that it was deemed necessary to invent or to employ a very questionable adventure in support of a popular practice, and the period when this practice was, in principle, suppressed or ignored, because it proved to be based upon imperfect knowledge. However, when after the compilation of the Pentateuch, the story of Jacob's wrestling with the angel, together with the writer's observation on its effects, became a part of the Divine Books of Moses, the custom naturally not only regained its old authority, but was surrounded with new dignity and importance; it was by Jewish tradition, busily developing the slightest Biblical suggestion, stamped as an essential ordinance of diet⁷, and

⁴ וְיִשְׂרָאֵל בָּרַךְ אֶת הָאֱלֹהִים בְּדָמְעָיו, Hosea XII. 5.

⁵ Josephus also (Ant. I. xx. 2) materially changes the Biblical story: an "apparition" (φάντασμα) wrestles with Jacob, and the name Israel means, "one that struggled with the Divine angel" (τὸν ἀντιτάξαντα ἀγγέλου θεοῦ).

⁶ Ewald (Alterth. p. 209) observes, "Die Sitte stützte sich wahrscheinlich auf einen alten Glauben, welchen das Gesetz nicht billigen mochte", and Gramberg (Relig. Id. I. 331), "der Dichter verräth hier vielleicht unwillkürlich einen nicht elohistischen Gebrauch seiner Zeit".

⁷ The Septuagint already renders

the simple statement of Genesis (אֲכָלֶנָּה) as a prohibition (ἐνεχεν τοῦτο οὐ μὴ φάγωσιν υἱοὶ Ἰσραὴλ τὸ νεῦρον κτλ.), against the context which proves a simple narrative. Yet that was the traditional Jewish acceptance, which regarded the custom as a sufficient basis for an authoritative law, without ever attempting to assign a special reason for it (comp. *Maimon. Mor. Nev. III. 41*). The Mishnah (Chull. VII. 6), to obviate the difficulty, urges, אֲכָלֶנָּה נִשְׁמַר מִן הַמִּצְוָה, "the command was given on Sinai, but was written down in its place" (in Genesis). In the system of laws compiled by Maimonides, it is enumerated as the 183rd

was in the Pharisaical schools made the subject of long discussions, which grew into an elaborate section of the Mishnah, to be again enlarged by new and minute comments subsequently embodied in a corresponding portion of the Talmud. The whole of the sciatic nerve in all its ramifications, both of the right and the left thigh, was interdicted to men and women, for all times and countries, in clean domestic, and clean beasts of the forest (בְּרֵמָסָה וּבְחִירָה), to the very embryo found fullgrown in the womb; yet not in birds, unless the socket of their hip-bone be round and concave. It was to be extracted even from victims burnt as holocausts, and to be thrown among the ashes of the altar. The slightest transgression was punished with forty, the eating of either nerve with eighty stripes; however, by interpreting the text with literal narrowness, this severe penalty was limited to that part of the sciatic nerve which is just "on the hollow of the thigh" (אֲשֶׁר עַל כֶּף הַיָּד), whereas eating of the remainder, though forbidden, like all other nerves, was more leniently visited. Yet as "it is tasteless like wood", it was declared not to disqualify the food with which it is boiled; and like the other nerves and the fat, it was permitted for general use or profitable disposal (טָהוֹר בְּרֵמָסָה)¹. Thus tradition at least acknowledged that it neither causes uncleanness nor that it is an "abomination"; that in fact, it rather partakes of a certain sanctity². Modern Rabbism not only clings to the interdiction, but in some countries tries to uphold it with fanaticism; for as some skill is required to trace the sciatic nerve in all its branches, scrupulous Rabbis boldly forbid the flesh of the whole of the hind-quarters, to the inconvenience of all orthodox Jews, and to the serious annoyance of the intelligent, who would fain bury in oblivion the blasphemous story, in which the custom is alleged to have originated.

VII. SEETHING THE KID IN ITS MOTHER'S MILK.

Three times we read in the Pentateuch, "Thou shalt not seethe a kid in its mother's milk"³. But the import of this precept is so

of the negative precepts (שְׁמַר לֹא־עָשִׂיתָ), in that of פָּסוּק as the 203rd command, of לֹא־עָשִׂיתָ as the 139th prohibition; in the Pentateuch it is the third of the supposed 613 laws (comp. *Talm. Macc.* 23^b).

¹ Comp. *Talm. Pesach.* 22^a, and *Rashi* *ibid.*

² See *Mishnah Chullin* VII; *Talm. Chullin* 89^a—103^b; comp. also *Maimon. De Cib. vet. c. VIII*; *Yoreh Deah* §. 65. 5—14; *Hofstinger, Jur. Hebraeor. Leg. (III)* pp. 12, 13; *Mitr. Hashem* 1^b.

³ לֹא־עָשִׂיתָ טָהוֹר בְּרֵמָסָה אֶת־הַבֶּן־בְּחֵם־אִמּוֹ, *Exod. XXIII.* 19; *XXXIV.* 26; *Deut. XIV.* 21.

obscure, that conjecture may fairly claim the field as its own. It was classed by the Jewish doctors among those recondite "statutes" (חֻקִּים) or "mysteries" (סִמְרֵי וּמִסְתָּרוֹת), which, like the laws of the "red cow"⁴ and of Azazel's goat⁵, must not be enquired into by men, but will be revealed and explained by God in the time of the Messiah⁶. It was hopelessly abandoned by so acute a dialectician as Ebn Ezra, who urged that it was needless and futile to search for a reason, and by so earnest a philosopher as Mendelssohn who considered that the benefit of the ordinance does not consist in understanding it, but in its practice⁷. Is it a law of diet or a law of humanity? Is it designed to counteract cruelty or superstition? Is it meant to reform a custom of the Hebrews, or to keep them aloof from one prevalent among the heathens?

The only faint glimmer of light is thrown upon the command by the context in which it is introduced; yet it may be sufficient to lead us to an intelligible conclusion. Twice the precept occurs in this connection, "The first of the firstfruits of thy land thou shalt bring into the House of the Lord thy God: thou shalt not seethe a kid in its mother's milk"⁸; and both times this verse is preceded by regulations concerning the three great agricultural festivals of Passover, Pentecost, and Tabernacles. Hence it is almost impossible to resist the inference that the precept relates to the produce of the soil, to crops and harvests⁹. But what is the connection? It was, no doubt, at the time when the command was first written down, so obvious to every one, that it seemed to require no word of illustration. We, after the lapse of so many ages, must be content with the general, though by no means untrustworthy reports concerning a custom that flourished among eastern and western cultivators of the soil — the custom of killing, after the ingathering of the fruits and harvests, and at the common assemblies of the shepherds¹⁰, a young goat, boiling it in its mother's milk, and sprinkling the broth, with various ceremonies and prayers, over fields and orchards, trees and gardens, in the firm belief of thereby securing more plentiful crops in the ensuing year¹¹. Can it be surprising, that the Hebrew writer,

⁴ Num. XIX. 2 *sqq.*

⁵ Lev. XVI. 8 *sqq.*

⁶ Comp. *Bechai* on Lev. XXIII. 19, fol. 88^b ed. 1864, לִכְרֹד לִבְנֵי הָאֱדוֹמִים בְּיָמֵינוּ.

⁷ *Ebn Ezra* on Exod. XXIII. 19; *Bier* *ibid.*, וְהָיָה כִּי יִשְׁלַח ה' אֶת מִשְׁלָלָאֲדָמָא בְּיָמֵינוּ; comp. *August.* Quæst. in Exod. XC, Quo-

modo intelligatur 'ad verborum proprietatem nescio utrum possit reperiri.

⁸ Exod. II. cc.

⁹ It would be going too far to refer it actually to the feast of Tabernacles, as is done by Abarbanel, Spencer, a. o.

¹⁰ Called *Mesta* (מֵסְטָה) in Spain.

¹¹ See especially *Abarbanel* on Exod.

gint³, and has been adopted by many and even modern interpreters⁴. But irrespective of the extreme doubtfulness and questionable authority of these glosses, the section of which our command forms the conclusion in both passages of Exodus, does not treat of the gifts presented on the festivals, but of the general character of the latter; for the firstfruits might be offered at any other time. It is true that goats were sacrificed by heathen nations on various occasions: the Greeks carried in their processions at the festival of the Dionysia, a pitcher filled with wine, bunches of grapes, and a basket of figs, a goat, and other symbols of fruitfulness⁵; goats were offered by the Athenians once a year to Minerva, and by the Romans commonly to Bacchus, because they damage by their bite the vine and the olive tree, though with all their viciousness they are unable to destroy either the one or the other⁶; and hence at Athens, on the festival of the Ascolia in honour of Bacchus, people showed their contempt by jumping over greased and inflated goats' skins⁷, when the spectators delighted in the stumbling or fall of the jumpers⁸; the Romans believed that they gained the favour of Bacchus by slaughtering goats on his altars and thus diminishing the number of his enemies⁹; and a she-goat was at Rome deemed acceptable to Faunus¹⁰. Again, milk was frequently used for libations, not only to the deities and powers of the nether world¹¹, but also to the nymphs of the forest¹², to Silvanus after the completion of the harvest¹³, to Pales¹⁴ and

the forgotten sheaf or *תבואה* Lev. XIX. 9; Spencer *rem abominandam*, etc.).

³ Ὅς γὰρ ποιεῖ τοῦτο ὡς ἐπὶ δεινὰ λαχὰ θύσει, ὅτι μὴνιμὰ (s. *μίσαιμα*) ἐστὶ τῷ θεῷ ἱερὸν.

⁴ So Nic. de Lyra (in Exod. XXIII), Knobel (on Exod. pp. 236, 237), Bevan (in Smith's Diction. of the Bible I. 630), a. o.

⁵ *Plut.* de Cupidit. Divit. c. 8.

⁶ Hence the old and cruelly ironical distich, Κτὴν μὲ φάγγε ἐπὶ βίλυν, ὅπως δ' ἐπὶ καρποφορήσῃ, Ὅσον ἐπὶ λείψαι σὸν, τράγην, θυομένην (*Suidas* s. *δελός*, I. 795 ed. Bernhardt); or similarly Ovid (Fast I. 357, 358, Rode, caper, vitem! tamen hinc cum stabis ad aram, In tua quod spargi cornua possit erit).

⁷ Which was called *δελουδίζειν*.

⁸ *Suidas* l. c.; *Virg.* Georg. II. 384 (unctos saluere per utres).

⁹ Comp. *Varro*, De Re Rust. I. 2; *Ovid*, Fast I. 349—361; *Virg.* Georg. II. 370—396 (Non aliam ob culpam Baccho caper omnibus aris Caeditur, ver. 380); *Marl.* III. xxiv. 1, 2 (Vite nocens rosa stabat moriturus ad aras Hircus, Bacche, tuis victima grata sacris); *Serv.* ad *Virg.* Aen. II. 180.

¹⁰ *Ovid*, Fast. II. 361, Cornipedi Fauno caesa de more capella.

¹¹ *Aeschyl.* Pers. 611; *Soph.* Electr. 895; *Eurip.* Orest. 115; *Strab.* XV. III. 14, p. 733; *Sil. Ital.* XIII. 434; *Euseb.* Praep. Ev. IV. 20; comp. Comm. on Levit. I. p. 231 note 22, p. 232 note 6.

¹² *Longus*, Pastoral. II. 22.

¹³ *Hor.* Epist. II. i. 143.

¹⁴ *Ovid*, Fast. IV. 746.

Priapus¹, and among ruder and poorer tribes to their gods generally². However, all these facts do not bear on the spirit of our command; this centres in the seething of the kid in the milk *of its own mother* (חֲמֹלֶה אִמּוֹ); it has no parallel or analogy in the history of sacrifices; it relates, in fact, not to offerings, but to some superstitious usage in connection with vegetable produce.

But the aspect of the question is totally altered, if we consider the context in which the precept is introduced for the third time, in Deuteronomy. Here it forms a part of a series of ordinances on lawful and forbidden food, and is supported by the usual principle — "You shall not eat of anything that dies of itself;... for thou art a holy people to the Lord thy God: thou shalt not seethe a kid in its mother's milk." Here then it is obviously treated as a law of diet. How is this change to be accounted for? We have before us a most remarkable instance of Levitical development. The brief but pithy command was no doubt faithfully remembered by the nation: it concluded the old "Book of the Covenant", and again a cycle of laws intended as the renewal of that Covenant; but its meaning and motive fell manifestly into oblivion, perhaps because the custom by which it had been prompted died away among the Hebrews, and became less prominent among the Canaanites. Then it was natural that "to seethe" should be understood strictly as to cook for the sake of eating, which sense would indeed suggest itself as most suited to the phrase³. Thus the law was incorporated among the dietary precepts. Indeed young goats seem to have been much esteemed as food in Palestine⁴ and elsewhere⁵; they were among the ancients recommended

¹ *Virg. Ecl. VII. 33.*

² *Plin. Hist. Nat. Praef. 11.* — *Est etiam ratio*, observes Gregorius (quoted by Spencer l. c. p. 341), *cur capra et lac caprinum magnifere in cultu ethnico: nam ipse Jupiter lac caprinum suxit.*

³ *Comp. Talm. Chull. 114^a אַרְבֵּי חַיִּים וְיִשְׁרָאֵל לֹא יִשְׁתֶּה בְּחֵלֶם אִמּוֹ; Pesach. 82^b; Maim. De Cib. vetit. IX. 2; Rabbag on Exod. XXIII. 19, וְשִׂיחַ שֶׁנֶּחֱמָה בְּחֵלֶם אִמּוֹ; שְׂמֵחַ לִחְמֵלֵי הַחֲמִילָה וְכִּי שֶׁנֶּחֱמָה אֲבִלֵּי; Bechai l. c. where the reasons why the Pentateuch uses the word שֶׁחַח and not שֶׁחַח are summed up in the Rabbinical spirit. Gramberg (Relig.*

Id. I. 335) supposes that the author of the law may have identified milk with blood; but if so, he would have interdicted milk altogether; as indeed the Hindoo priests were forbidden to drink the milk of all forest beasts, except the buffalo (*Manu V. 9*).

⁴ *Comp. Gen. XXVII. 9, 14 (עֲשָׂה); Judg. VI. 19; XIII. 15; 1 Sam. XVI. 20; etc.*

⁵ *Comp. Virg. Ecl. II. 40—42; Juven. XI. 65—69 (Hoedulus . . . qui plus lactis habet quam sanguinis); Athen. IX. 66 (ἐρίφοι κοικίλως ἐκτεταγμένοι . . . οἷτινες οὐ τὴν τυχοῦσαν ἡδονὴν παρέρχοντο ἡμῖν).*

as particularly wholesome even to patients and invalids⁶; nay of all young quadrupeds the kid only was deemed fit for consumption on account of its dryness⁷, whereas the remainder were avoided on account of their excessive humidity⁸; therefore, the kid only was boiled in milk, "because its flesh is not moist, but warm (war), even when the animal is very young"⁹; yet it is well known that the Bedouins very rarely boil any meat in water, but, to make it the more tender and palatable, they generally use *labbin* or sour milk¹⁰; for they by no means deem meat boiled in milk "very heavy food, productive of an excess of blood"¹¹. Nor could the compiler experience much difficulty in finding an appropriate reason for prohibiting the flesh of the kid boiled in its mother's milk. He probably regarded it as revolting cruelty to prepare the young beast with the very milk which nature had destined for its nourishment¹², as a perversion of the eternal order of things, and as a culpable contempt of the relation that God ordained to exist between the mother and her young¹³. He,

* *Ebn Ezra* on Exod. XXIII ("all physicians agree that there is no meat like it for wholesomeness, they permit it, therefore, for sick people; so they do in Spain and Africa, Palestine, Persia, and Babylon"); *Bochart*, Hieroz. I. pp. 633, 634.

¹ *Isidorus* (Etymol. Lib. XII c. 1, no 18) goes so far as to connect *hœdus* with *edere*, "hoedi ab edendo vocati, parvi enim pinguiissimi sunt, et saporis jucundi . . . unde et edullium vocatur, quasi appellari mereatur edullium xar' ἑξοτῆν".

* *Galen.* De attenuante Vict. Rat. c. 8 (agnorum esus propter insignem humiditatem est fugiendus); *Kimchi* Rad. Lib. sub $\text{סוּחָה דֵּה לֵאכֹל הַבָּרִיאָה}$ סוּחָה דֵּה לֵאכֹל הַבָּרִיאָה; *Bochart* l. c. p. 637.

* *Estu Excal.* c.; thus at present milk is used for basting hares and other game, and veal.

¹⁰ Comp. *Rosenm. Morgenl.* VI. 258.

¹¹ *Maim. Mor. Nev.* III, 48.

¹² Comp. *Philo*, De Humanit. c. 18, πάντες γὰρ ὑπέλαβεν εἶναι θεῖον τὴν τροφήν (ἁντος) ἡδυσμα γενέσθαι καὶ παράρτυσιν ἀναιρεθέντος; κτλ.; *Clem. Alex. Strom.* II. p. 401. (ed. Sylburg).

μη γὰρ γινέσθω ἡ τοῦ ζῶντος τροφή
 ἥδυσμα τοῦ ἀναιρεθέντος ζώου, μηδὲ
 τὸ τῆς ζωῆς αἷσιον συνεργόν τῇ τοῦ
 σώματος καταναλώσει γινέσθω; *Theo-*
doret. Quaest. in Exod. XXIII. 19,
 saepius admonui, quod per omnia doce-
 ceat illos humanitatem; *Ebn Ezra*
 l. c. אֵלֵּי הָאֵלֹהִים כִּי אֲכַלְתֶּם לֶב הָאִישׁ
 הַחַי וְלֶב הַמֵּת בְּהַלֵּךְ אִישׁ
Nachman. on Deut. XIV. 21;
Abarban. l. c. וְכִי שָׁמַע הַבְּהֵמָה הָאִישׁ הַחַי
 וְהַמֵּת בְּהַלֵּךְ אִישׁ וְהַבְּהֵמָה
Bechai, l. c. "it
 hardens the heart, since the milk is
 formed of blood, and therefore engen-
 ders cruelty and an evil disposition
 of the soul, the more so as it does not
 change and assimilate in the body
 like other food" etc.; *Aramah* רמב"ם
 on Exod. XXIII (fol. 34^a, ed.
 Frank. a.O. 1785); comp. also *Bo-*
chari l. c. p. 638, whose remarks and
 historical illustrations anticipate and
 refute the dogmatic and one-sided as-
 sertion of Spencer (l. c. II. ix. 1, p. 334),
 "haec omnia rhetorem magis quam lo-
 gicum decent... cum animal occisum
 nullo sensu tangatur, quacunque
 ratione carnes illius elixentur".

¹³ Comp. *Philo* l. c. τὴν δὲ τῶν ἀνθρώπων ἀκρασίαν τοσοῦτον ἐπιβῆναι,

of hypallage, "Thou shalt not seethe the kid together with its mother", so that it would be kindred in spirit to the prohibition of slaughtering a beast and her young on the same day⁸, or of taking a bird and her young ones together from a nest⁹. But all these interpretations would involve an ellipsis or construction without parallel in Hebrew, while others are too fanciful to be entertained even for a moment.¹⁰ Quadrupeds were indeed considered unfit for sacrifice before their eighth day¹¹, yet in earlier times they were even offered as holocausts while still nourished by their mothers; thus Samuel presented as an acceptable burnt-offering a sucking lamb¹², although this is in opposition to the later Levitical regulation¹³.

These were the vicissitudes of the ordinance within the time and compass of the Pentateuch; but they were infinitely multiplied by later Judaism. "The kid" was understood merely as an instance or illus-

the flesh was considered unwholesome, or the practice cruel.

⁸ Lev. XXII. 28.

⁹ Deut. XXII. 6, 7; comp. *Theodor. Quæst. in Exod.* XXIII. 19, "nam hac ratione videtur quodam modo matrem etiam coquere".

¹⁰ As the typical explanations proposed or quoted by St. Augustine (*Quæst. XC in Exod.*) with reference to the child Christ, whom Herod sought to kill when he was still at his mother's breast, or who suffered — was "seethed" — at Passover, the same season of the year when he was conceived ("dicuntur enim feminae ex quo conceperint lac colligere" 1); or the mystical view of Bechai (l. c. 88^b, 'הַיֶּלֶד הַזֶּה הָיָה בְּחַיֵּי אִמּוֹ לְשֵׁלֶל וְכַּיֵּן, 'הַיֶּלֶד הַזֶּה הָיָה בְּחַיֵּי אִמּוֹ לְשֵׁלֶל וְכַיֵּן), or the moral one of Aramah (l. c. fol. 33^b); or the metaphorical one of the Karaites alluded to by Abarbanel (l. c. 82^b), "thou shalt not make grow (שֶׁלֹּא תַגְדִּיל, comp. Gen. XL. 10) the kid by its mother's milk", that is, thou shalt not allow the firstborn animal to suck beyond the seventh day, but offer it on the eighth (שֶׁלֹּא תִּשְׁתֶּה אֶת הַיֶּלֶד עִם אִמּוֹ) — an explanation which Abarbanel justly characterises as *חֲסִידוּת חֲסִידֵי הַיֶּלֶד*, though

he is far too confident with regard to the traditional view (רִיב קָבָל מִדִּין). No less strange is the conjecture mentioned and refuted by Ebn Ezra (l. c.), that יֶלֶד is kindred with פֶּזֶז, which was understood to mean *fruit* (Vulg. always *poma*), whereas it signifies a *precious gift* or object (comp. Deut. XXXIII. 13, 16; Cant. IV. 16; VII. 14); Michaelis (*Mos. R. IV. §. 205*) indeed understands the precept to be directed "against cooking or roasting meat with butter", but defends his conceit that it was intended to encourage among the Hebrews the use of olive oil instead of butter, to promote the careful cultivation of the olive-tree in Palestine, and thereby at once to endear to them their own home which so plentifully provides them with such a delicacy, and to counteract their possible desire of returning to Egypt! (see also §. 191, and *De legg. Mos. Israelitis Palaestinam caram facturis* §. 10, in *Commentt. Soc. Reg. Gott. IV.*)

¹¹ See Comm. on Lev. I. p. 98.

¹² שְׁלֹמֹה הִלֵּךְ, 1 Sam. VII. 9, 10; comp. Sir. XLVI. 16, 17.

¹³ See Comm. on Lev. I. p. 86.

prohibited by the "command of the scribes" or the Rabbins¹⁴, ever watchful to "make a fence to the Law"¹⁵, till the Law was impenetrably hedged in and made all but inaccessible¹⁶. "Our sages", observes Abarbanel¹⁷, "have prohibited every and any kind of meat mixed with milk, in order to prevent sinners from saying, 'What is the difference between the one and the other?'" Again, it was gravely urged that most people do not keep their own cattle, but buy their milk in the market; thus a person might purchase the milk of the very animal whose young he intends to cook and to dress¹⁸; therefore, in order to exclude any chance and possibility of such a contingency, the Jews were strictly enjoined not to boil together any milk and meat whatsoever¹⁹.

Yet this view was but very gradually adopted. It is remarkable that it was not known or entertained by Philo, who wrote at Alexandria about the beginning of the Christian era: for after denouncing the unnatural barbarity of using the mother's milk for the preparation of her own young, he observes, "But if any one should desire to dress flesh with milk²⁰, let him do so without inhumanity and without impiety; there are everywhere innumerable herds of cattle, that are each day milked by the shepherds, . . . so that the man who seethes the flesh of any beast in its own mother's milk, exhibits a heinous perversity of disposition, and an utter want of that feeling which of all others is most indispensable to a rational soul — as it is most nearly akin to it — compassion"²¹. Philo, therefore, objecting to meat boiled with the milk of the animal's mother, but not with milk in general, still adhered to the plain sense of the precept as probably conveyed in Deuteronomy²². But already the Targum which bears the name of Onkelos, and which was commenced only a few generations later, though completed centuries afterwards in the schools of Babylonia²³, explained rather than translated that command, "You shall not eat meat with milk"²⁴: it is uncertain whether this meaning had been

¹⁴ מִצְוַת סוֹבְרֵי הַבָּשָׂר אוֹר הַבָּשָׂר.

¹⁵ *Mishn. Avoth* I. 1, מִצְוַת לִבְיָדָהּ מִצְוַת מִצְוַת; comp. III. 13, מִצְוַת לִבְיָדָהּ מִצְוַת.

¹⁶ *Comp. Talm. Chull.* 113 *sqq.*

¹⁷ *L. c.* fol. 82^a.

¹⁸ *Comp. Ebn Ezra* l. c.

¹⁹ Would not consistency have required the prohibition of eating or preparing fowls with eggs, since the eggs might be those of the birds which they are employed to make more palatable?

²⁰ *El δὲ τὰ ἐν γάλακτι κρέα συνέψαι* δέξιοι.

²¹ *Philo De Humanit. c.* 18.

²² So also Symmach. οὐ σκευάζεις κρέας διὰ γάλακτος μητρὸς αὐτοῦ; *Ar. Exp., a. o.*

²³ *Comp. Geiger, Urschrift*, pp. 162—166.

²⁴ מִצְוַת לֹא יִבְשֹׁל בָּשָׂר בְּחֵלֶב (comp. *comp. Ebn Ezra*, fol. 24^b, 25^a); so many later Jewish writers.

developed in the interval between Philo and Onkelos, or whether it had, in Philo's time, not yet reached the Egyptian Jews from the chief-seats of Hebrew learning in Palestine and Babylonia. Now we cannot be surprised at the explicit paraphrase of Pseudo-Jonathan, "You are not permitted either to cook or to eat meat and milk mixed together", and at the fearful punishments which that Targum attaches to any transgression of the law¹. And then the doctors of Mishnah and Talmud discovered, by marvellous feats of interpretation, that the prohibition applies both to the flesh of clean domestic and untamed quadrupeds and of birds²; and laying down the rules "the words of the scribes are weightier than the words of the Law"³, and "God concluded a covenant with Israel, not on the conditions of the written but of the oral Law"⁴, they decreed that the threefold repetition of the command forbids, for all ages and for all countries, the cooking, eating, and the profiting by, any mixture of both substances in what form soever⁵; they delighted in accumulating "pre-

¹ See *supra* p. 34, note 1.

² דגים, ודגים, and עוף, though not of fishes or clean locusts.

³ *Mishn. Sanh.* XI. 3, ודבר הלכה הדין; comp. *Talm. Chagig.* 10^a, "if a man appeals from the decision of the Talmudists (דברי הלכה) to the Scriptures, he has no peace".

⁴ *Talm. Gitt.* 60^b, לא שייך הקדש בידו; comp. *Bab. Meta.* 33^a, "those who study the Law do something that is meritorious and not meritorious; those who study the Mishnah, perform a meritorious act, for which they are rewarded; but those who study the Gemara do something that is the greatest of all merits" (אין לך מידה גדולה מה); also in *Derech. Er. Sut.* 25^b). The Law was compared to water, the Mishnah to wine, and the Talmud to spiced wine (קדושתין, conditum); or the one to salt, the other to pepper, and the third to spices (בשמים; *Talm. Sopher.* c. 15, fol. 16^b); till at last it was declared, that a person who neglects the Talmud and studies the Law only ought to be shunned (*Bechai Kad Hakkem.* fol. 77), nay that "he is

without God" (כמי שאין לו אלוהים, *Shaar-Zedek* fol. 9), and that "even the common talk of the sages (שיחא דהלכה) is equivalent to the whole Law" (*Midr. Prov.*).

⁵ דברים אלה למאד אכילה ואמור למאד⁵ *Talm. Chull.* 115^b, and compare in general *Mishn. Chull.* VIII; *Talm. Chull.* 104—117; *Kiddush.* 57^b; *Pesach.* 24, 25; and the very numerous midrashic interpretations in *Mechilla* on *Exod.* XXIII. 19 (fol. 108, 109^a ed. Weiss), also *Siphre* on *Deut.* XIV. 21 (fol. 95 ed. Friedmann); *Talm. Sanhedr.* 4^b; *Nazir* 37^a; *Comm. on Exod.* pp. 460—462. But it was conceded that those kinds of "meat with milk" not forbidden in the Pentateuch but only by the Rabbins (see *supra* p. 36) were not withdrawn from profitable disposal כל בשר ודגב שאין אדם נאכל מהם (אין בישול). Maimonides, in his *Sepher Hamitsvoth*, enumerates the law as the 186th and 187th prohibition שלא לטמל בשר and שלא לבעול בשר בריב (בזילב), deriving the latter, like Ebn Ezra, from *Deut.* XIV. 21, in accordance with tradition (אין להשתמש בשר).

cept upon precept, rule upon rule," though not "here a little and there a little", but everywhere and with full hands, till they encompassed the whole life of the Jews with bonds and fetters, burdened it with oppressive restrictions, and rendered hospitable intercourse with non-Jews all but impossible; and in doing this they supposed that they secured to their people the means of salvation and of God's special favour⁶. Any one may judge for himself by reading, in the original or in a literal translation, a few chapters of that book, which has been universally adopted by orthodox Judaism as the unalterable and eternal rule of practice, the *Schulchan Aruch* (שולחן ערוך), a digest of the laws and decisions of Mishnah, Talmud, and Geonim, and of their early commentators⁷, compiled by R. Joseph ben Ephraim Karo⁸, augmented not long afterwards by glosses, mostly recommending greater severity, by R. Mose ben Israel⁹, and superseding all previous attempts at codifying the vast and ever accumulating materials—those of Simon of Kahira¹⁰ and R. Hai Gaon¹¹, of R. Isaac ben Jacob Alfasi¹², and even of Maimonides, whose stupendous work, *Yad Chazakah*, though surpassing all others in lucidity, order, and compactness, authoritatively states the laws without proofs and reference to sources, and of R. Jacob ben Asher¹³, whose arrangement in *four divisions* (ארבע סדרים) in many respects remained the foundation of Karo's work. A few pages of this *Shulchan Aruch* on the subject under discussion will show the reader at a glance the fruits of Talmudical exegesis¹⁴; he will probably find that a Biblical ordinance, which originally bore no reference whatever to the laws of food, and later but a very slight one, was made to yield a mass of hairsplitting minutiae, which it is difficult to survey without

and including חמץ in אכילה. In שו"ע it is the 92nd and 114th precept (שלא לאכל בשר שחיטתו בחלב). — All latter Rabbis also permitted to cook and eat fishes and clean locusts with milk.

⁶ Comp. *Mishn. Macc.* III. 16, "God desired to save and favour (לרצו) Israel, therefore He multiplied their laws."

⁷ With the exception, however, of those ordinances which ceased to be applicable after the destruction of the Temple.

⁸ Born A. C. 1388, died 1475.

⁹ Called Isserels or יסר"ל, died 1573.

¹⁰ About A. C. 900, author of *Halachoth Gedoloth*.

¹¹ From 969 to 1038.

¹² Born 1013.

¹³ From 1280 to 1340.

¹⁴ See *Yoreh Deah* (forming the second division — ס"ב — of the *Shulchan Aruch*) §§. 87—97; comp. *Maimon. Issur. Maach.* ch. IX. XIV. XV; also *R. Isaac of Dären* יצחק דר"א, with the comments of *R. Israel Isserlein* יצחק יסר"ל; *R. Mos. Isserels* משה יסר"ל; *Salomon ben Adereth* שלמה אדרת; *Baxtorf*, *Synag. Jud.* c. 26.

mingled amazement, pity, and regret, and in which religion, if its mission be truth and love, has certainly no share.

VIII. CLEAN AND UNCLEAN ANIMALS.

If we follow the oldest Hebrew sources, man, like the rest of the animal creation, lived originally upon vegetable food only¹. To what extent and during what periods this was really the case, we have no means of ascertaining even approximately. As far as historical accounts enable us to judge, the statements in Genesis would seem to have simply resulted from a religious or philosophical theory of a primitive state of human innocence in a Golden Age, or a Paradise, free from the pangs of death and the sin of bloodshed, and embracing the entire animate creation in a bond of common concord²; a theory which found its counterpart in the hope of an ultimate Messianic time expected to realise a similar condition of universal harmony³. It is indeed a *mythos* in the strictest sense; it recalls the analogous belief of the Parsees, that men, in their original state of moral perfection, did not eat at all, and that at the end of all things they will return to the same absolute freedom from physical wants⁴.

It is true, the idea of a higher purity attaching to vegetable nourishment is discoverable in various well-founded facts: it is manifest in the preference given, in some instances, to bloodless over animal sacrifices⁵, and in the reluctance evinced by several ancient sects to animal food. But the practice was in both respects so unsettled or rather so inconsistent, that a positive conclusion, even within a very limited sphere, would be entirely unwarranted.

With regard to the first point—the bloodless and animal sacrifices—the fluctuations, almost amounting to confusion, have been pointed out in another place⁶. The Parsees alone seem, as a rule, to have presented none but bloodless oblations⁷, and when they exceptionally

¹ Gen. I. 29, 30; comp. II. 5, 6, 15, 16; III. 17, 18.

² Comp. *Hesiod*, Op. et D. 108—119; *Theocr.* XXIV. 85, 86; *Virg.* Georg. I. 125—159; *Ecl.* IV; V. 60, 61; *Hor.* Epod. XVI. 41—62; *Ovid.* Metam. I. 89—112; XV. 96—103; *Tibull.* I. III. 35—50; *Phil.* Sympos. VIII. viii. 3; *Lactant.* Institut. VII. 24, οὐ δὲ λύκοι οὐν ἀρνεοὶ ἐν εὐρασίᾳ ἀμυλλοῦνται καὶ etc.

³ Comp. *Isai.* XI. 6—8; LXV. 25; see Comm. on Genes. pp. 78, 79.

⁴ Comp. *Bundehesh* c. XXXI *init.*; *Spiegel*, Avesta, I. 34, 234.

⁵ See Comm. on Lev. I. pp. 11, 12.

⁶ L. c. pp. 11—13.

⁷ See *Spiegel*, Avesta, II. p. LXXI; comp., however, *Rhode*, Heilige Sage der Baktrer etc. pp. 506—508; Herodotus (I. 140) observes, "The Magi kill animals of all kinds with their own hands, excepting dogs and men."

sacrificed animals, they devoted to the gods no portion of them whatever: but this arose from tenets peculiar to the Zend religion, and was unconnected with notions of the inviolability of animal life; for the victims could fitly neither be creatures of Ormuzd, under whose protecting care they stood, nor much less the detested productions of the evil and dangerous Ahriman.

But as regards the second point — abstinence from animal food — it will suffice briefly to allude to the vague and conflicting doctrines of the Hindoos and the Pythagoreans. Among the former, it would, at the first glance appear, that the “twice-born” at least, or the members of the two highest castes, were expected to live merely upon “pure fruits and roots and such corn as hermits eat”⁸, and strictly to avoid all flesh, both of quadrupeds and birds, and all fishes⁹. The broad principle was established that, as flesh-meat cannot be procured without injury to animals, and “the slaughter of beasts obstructs the path to beatitude”, man should abstain from flesh-meat¹⁰; a principle which, if it did not originate in, derived strength from, the belief in the migration after death of human souls into the bodies of animals, yet also into plants and minerals¹¹. That rule was almost enlarged into a comprehensive system: “He who consents to the death of a beast, he who kills it, and he who cuts it to pieces, he who buys it and he who sells it, he who dresses, serves, and eats it — these are the eight chief associates of murder”¹². It was subsequently extended with such rigour to the meanest animals by a portion of the Hindoos, as those of the Oswal tribe, that their priests carried besoms to sweep the ground, and covered their mouths with gauze, lest they crushed or inhaled an insect possibly harbouring a human intelligence. A Brahmin who had by design, or even by accident, killed a cat, a dog, or an ichneumon, a frog or lizard, an owl or a crow, was obliged to perform the ordinary penance required for the death of a sudra; though in the second alternative lighter acts of expiation were permitted in cases of illness or debility¹³. For the murder of other animals, a heavy fine or multiplied restitution was ordained¹⁴. Eating meat was considered the act of a “bloodthirsty demon”, abstaining from it, a pledge of prosperity and a safeguard against disease¹⁵; the punishment of the former was that of being

⁸ *Manu* V. 54.

⁹ *Manu* V. 15; *Yājñavalkya* ed. Stenzler, I. 175.

¹⁰ *Manu* V. 48; comp. *Yājñav.* I. 33.

¹¹ *Manu* L. 50; IV. 243; V. 49.

¹² *Ibid.* V. 51.

¹³ *Ibid.* XI. 132, 133.

¹⁴ *Ibid.* cc. 134—138.

¹⁵ *Ibid.* V. 50; comp. 31.

devoured in the next world by the animals whose flesh had been eaten in this¹; the merit of the latter was looked upon as not less glorious than the annual offering, during a hundred years, of the greatest and noblest of all gifts, the *Aswamedha*² or the horse-sacrifice³. Thus the prohibition of animal food might be supposed positive and absolute, nay it was curiously enjoined, that if a man should feel an irresistible desire after such food, he should conquer and expiate it by shaping the image of the longed for animal out of dough or of clarified and compressed butter⁴.

However, on the other hand, the Hindoo codes permit or imply so many exceptions, that the ordinances are not only valueless as laws, but almost too wavering for customs. A number of precepts, marking an intermediate stage, are qualified or circumscribed by cautions and restrictions. Some kinds of fish and some parts of all fishes, were lawfully placed before the guests at repasts in honour of the gods or of departed souls⁵. The eating of flesh was held to be a rule of "gigantic demons", not under all circumstances, but only if indulged in unconnected with sacrifice, while in the latter case it was deemed a godly practice⁶. He who, after showing due veneration to the gods and the departed spirits, ate flesh, whether acquired by purchase or received as a present, was held free from sin⁷. A man was threatened with destruction, in the next world, by the beasts he had eaten in this, not unconditionally, but if he had eaten the flesh without paying reverential worship to the gods or shades, or without having been compelled by "urgent distress"⁸. "Flesh-meat, the food of gods", was to be shunned — unless it had previously been touched during the recital of holy texts, or been blessed and sanctified by prayers (mantras) from the holy Vedas⁹; but it was to be eaten once only, and at the bidding of a priest, and if there was danger of life¹⁰. "As many hairs as grow on the body of the beast, so many deaths shall the slayer of it endure in the next world from birth to birth" — yet only if he slew it "for his own satisfaction" or "against the ordinance", that is, not in association with holy observances¹¹; just as, according to Herodotus¹², the

¹ *Manu* V. 55; this idea was even traced to the etymology of the word *mansa* flesh; comp. V. 33; XI. 216.

² See Comm. on Lev. I. 89 note 7.

³ *Manu* V. 53, comp. 54; II. 118 and Jones in loc.; *Yājñav.* I. 181.

⁴ *Ibid.* V. 37.

⁵ *Ibid.* V. 16.

⁶ *Ibid.* V. 31, 34; comp. Lev. XVII. 3, 4.

⁷ *Manu* V. 32, 52; comp. *Yājñav.* I. 179.

⁸ *Manu* V. 33.

⁹ *Ibid.* V. 7, 36.

¹⁰ *Ibid.* V. 27.

¹¹ *Ibid.* V. 38; *Yājñav.* I. 180.

¹² *Herod.* I. 140.

Egyptian priests made it a point of religion "not to kill any animals except those which they offered in sacrifice". Beasts were not to be injured — except in the cases sanctioned by the sacred writings.¹³ There was no disgrace in eating animal food — in accordance with the law, though a virtuous abstinence from it ensured signal rewards¹⁴.

But other permissive precepts are more and more unrestricted, and others again entirely unconditional. The "twiceborn" were to avoid, not all meat in general, but meat kept at a slaughter-house, dried meat, and the meat of certain distinct classes of birds and quadrupeds, with the exception again of those species expressly allowed by the Vedas or otherwise sanctioned by lawgivers and sages, or by weighty precedent¹⁵. The maxims were proclaimed that Brahmah brought forth the entire animal and vegetable kingdom for the sustenance of the spirit of life, and that this spirit is entitled to consume everything whether it moves or is motionless¹⁶. Whoever regulates his diet according to the law, commits no sin, were he even every day to eat the flesh of animals which are allowed to be eaten, since both these animals and the persons who feed upon them were created by the great Bramah¹⁷. Nay passing to an extreme, the law of Manu declared, that whosoever refuses to eat meat at a solemn feast in honour of a guest or in connection with sacrifices or other sacred ceremonies performed for the gods or the departed souls, will in the other world be degraded into the state of a beast for twenty-one births; while he who partakes of meat on such occasions only, and who understands the meaning and the principles of the Veda, "elevates both himself and the cattle to the summit of beatitude"¹⁸.

Therefore, all facts point to the conclusion that the Hindoos, for long periods partaking of all food indifferently, only began to look upon vegetable sustenance as more commendable, when they developed their theological systems of metempsychosis, and that hence abstinence from meat, at all times but very partially adhered to, and only by the more rigid sects¹⁹, was suggested by subtle and refined speculations of a later age.

Quite analogous were the doctrines and the practice of Pythagoras, as far as inferences can be drawn from our available sources.

¹³ *Manu* V. 43.

¹⁴ *Ibid.* V. 56.

¹⁵ *Ibid.* V. 11—14, 17, 18, 22, 23.

¹⁶ *Ibid.* V. 28.

¹⁷ *Ibid.* V. 30.

¹⁸ *Ibid.* V. 35, 41, 42.

¹⁹ *Comp. Colebrooke*, *Relig. Cerem.*

of the Hindoos, in *Asiat. Res.* VII. 271 ("others not only eat meat at obsequies and solemn sacrifices, but make it their common diet, in direct breach of the institutes of their religion"); *Bohlen*, *Altes Indien*, II. 160 — 163.

On the one hand, we have a few isolated statements, that he enjoined upon his followers, absolutely to abstain, as he himself did, from all animate beings whatsoever¹. But on the other hand, we have more copious testimonies of much less decided principles. According to one authority², he permitted the slaughter, for food, of all animals, with the exception only of rams, and of oxen used in agriculture³; according to another, he recommended total abstinence only to those who aspired to philosophic speculation, while to the rest he allowed certain animals, though not the heart and the brain, because these are the organs of life and intelligence⁴. He taught that man "should avoid *too much flesh*"⁵; he allowed meat to others, and even recommended it to those desirous of excelling in bodily strength, though he himself avoided it, being content with honey and honeycomb, bread and vegetables boiled or raw⁶; yet he sometimes ate fish⁷, only shunning "those that were holy"⁸, since he deemed it unbecoming to serve up the same animals before both gods and men; moreover, he singled out as objectionable certain species of fish and birds, as the mullet and the white cock, and certain parts of quadrupeds, as the heart and the paunches⁹. Though he practised divination by means of frank-incense and not by burnt-offerings¹⁰, yet according to some

¹ Εμψυχον οὐδὲν ἐσθίωντες παντελῶς, *Diog. Laert.* VIII. 37; comp. *Jamblich.* De Vit. Pythag. 68 (ἐμψύχων ἀποχὴν πάντων); *Ovid*, *Metam.* XV. 75—142 (Parcite, mortales, dapibus temerare nefandis Corpora etc.); *Lucian*, *Vitarum Auctio* c. 6 (ψυχῆιον μὲν οὐδὲ ἐν σιτέομαι, τὰ δ' ἄλλα πλὴν κυδμῶν); *Aelian*, *Nat. An.* V. 11 (the bee which tastes no meat οὐ δεῖται Πυθαγόρου συμβούλου οὐδὲ ἐν); *IX.* 10 (the Jupiter-eagle Πυθαγόρου τοῦ Σαμίου διαχούσας οὐδὲν, ὅμως ἐμψύχων ἀπέχεται); *Porph.* De Abst. III. 26 (ἡ γὰρ ψυγὴ τῆς ἐμψύχου τροφῆς ψυγὴ ἦν τῶν περὶ τὴν τροφὴν ἀδικημάτων); *Clem. Alex.* *Strom.* VII. pp. 717, 718 ed. Sylburg.

² That of Aristoxenus.

³ *Diog. Laert.* VIII. 20; see Comm. on Lev. I. p. 97 notes 17—20; comp. also *Plut.* De Es. Carn. II. 4, Οἱ πρῶτοι κακοεργὸν ἐγαλκεύσαντο μάχαιραν εἰνοδίτην πρῶτοι δὲ βοῶν ἐπάσαντ' ἀροτρίων; *Herod.* II. 41; *Porph.*

Abst. II. 11; IV. 7; *Maim.* Mor. Nev. III. 30, 46. Confucius also forbade men to hurt the ploughing ox (comp. *J. Cramer*, *Confucius und Mencius*, pp. 178, 179).

⁴ *Jamblich.* Vit. Pyth. c. XXIV (§. 109).

⁵ Φεύγειν σαρκῶν πλεονασμὸν, *Diog. Laert.* VIII. 23.

⁶ *Ibid.* VIII. 44, αὐτὸς ἔφα μὲν οὐκ ἀδικεῖν, ἄλλους δ' αὐτὸς ἔα γ' ἀδικεῖν; *Porph.* *Abst.* I. 26. The Talmud also acknowledges the higher nutritiousness of meat in the words *רעוה ערע לזע* (*Berach. 44^b*).

⁷ *Diog. Laert.* VIII. 19.

⁸ *Ibid.* VIII. 34, τῶν ἱχθύων μὴ ἀπτεσθαι ὁσοι ἐσθίω.

⁹ *Ibid.* VIII. 19, 34 ("he also forbade white poultry, because a cock of that colour was sacred to the god Month, and a cock indicates the time"); *Aelian*, *Var. Hist.* IV. 17.

¹⁰ See Comm. on Lev. I. 11 note 9; comp. also *Porphyr.* De Abst. II. 5.

accounts, he sacrificed cocks, sucking kids, and young pigs, and sometimes lambs¹¹. Many who called themselves his strict votaries, indeed scrupulously kept aloof from fish, denouncing especially those caught with the hook, because the hook might not have been clean, or might before have wounded a sacred fish¹²; but they imposed upon themselves no restrictions whatever with respect to the meat of quadrupeds, whether in connection with sacrifices or not¹³. In fact, Gellius declared that the old and often repeated opinion, that Pythagoras did not eat flesh, was an undoubted fallacy¹⁴, and he confirmed this statement by unmistakeable quotations from previous writers of authority¹⁵. The predilection shown in favour of vegetable food by the Pythagoreans and the Neo-Platonicians, the elder Karaites and some Mahommedan sects (as the "Brethren of Purity"), was due to cosmic views and speculations analogous to those which led to the same dietary principles among the Hindoos; that predilection originated, therefore, among those schools also, not in notions usual in the earliest age of untutored simplicity, but in conceits and subtleties peculiar to periods of advanced intellectual culture.

Let us corroborate this opinion by one illustration. It is well known, that not only Pythagoreans, but also Egyptians, Syrians, and Greeks, abstained from fishes during the time of lustration (ἀγνεία), and the Egyptian priests did so with such rigid consistency, that on a certain festival (on the ninth day of the first month), when every other citizen consumed a fried fish before the door of his house as a religious act, they burnt theirs instead of eating them¹⁶. Now, why were fishes avoided? Are the motives plain and obvious, and are they uniform among different nations, or among the various writers of the same nation? The following are the principal reasons given. Fishes are distinguished by "taciturnity" (ἡσυχία), which was held to be a chief, nay a divine virtue among the Pythagoreans. They do not, like land animals, endanger the property or curtail the produce of man, however they may multiply, so that all "fishing with rods or nets — a luxurious and reckless pursuit — is in reality prompted

¹¹ *Diog. Laert.* VIII. 20; comp. *Porphy.* De Abst. I. 26, αὐτοὺς ἀπτεσθαι τῶν ἐμψύχων τοὺς Πυθαγορείους, δεῖν θύουσιν θύειν.

¹² Comp. *Ael.* N. A. X. 46.

¹³ *Plut.* Symp. VIII. viii. 1, 3; comp. *Hom.* Od. II. 327—332.

¹⁴ *Gell.* Noct. Att. IV. xi. 1, opinio vetus falsa occupavit et convaluit

Pythagoram philosophum non esitavisse ex animalibus.

¹⁵ As Aristotle and Plutarch: "Plutarchus quoque ... Aristotelem scripsit eadem ipsa de Pythagoricis scripsisse, quod non abstinerint edundis animalibus, nisi pauca carne quadam."

¹⁶ *Plut.* Is. c. 7.

by greed and daintiness, disturbing the sea and diving into its depths without a shadow of justice"¹. Poseidon was supposed to have been born from the sea, whence his priests in some parts of Greece deemed it sacrilegious to eat fish. The sea, the birth-place and abode of fishes, is "dissimilar and strange to us, and in fact repugnant to human nature", whence it was considered "neither a part of the world nor an element, but foreign, corrupt, and diseased dregs"²; it was called "the tear of Saturn", as the salt was termed "the froth of Typhon"; and captains of ships were passed unsaluted, because they obtain their livelihood from the sea³. Again, fishes, it was said, produce humid flesh, since they do not, like quadrupeds and birds, inhale our common air⁴. They are no necessity but a superfluous luxury. They live upon each other, whence a fish was the hieroglyphic for wickedness and impiety⁵. Yet, on the other hand, Pythagoras himself, in releasing and throwing back into the sea a netful of fishes which he had bought for that purpose, is by this act supposed to have signified that the fishes are our kindred friends for whom it behoved him to pay a ransom. Anaximander went so far as to make the fishes the ancestors of the human race. The Syrians considered them to derive their origin from the water, like men; looked upon them as divine, because the goddess Derceto, the mother of Juno, had partially the form of a fish⁶; neither ate them themselves nor allowed visitors in their country to taste them, and firmly believed that whosoever partook of them would be afflicted with ulcers, collapse of the bowels, and other fearful diseases⁷; they therefore kept and fed in a deep pond near the temple of Hierapolis, dedicated to Derceto, a large quantity of tame fishes, some of which were furnished with costly golden ornaments⁸, and to which annually the pious repaired in solemn processions⁹; and similar rites were observed near the temple of Venus at Paphos, where also, as at

¹ *Plut.* l. c.

² *Plut.* l. c.: οὐδὲ μέρος οὐδὲ στοιχείον ἀλλὰ ἄλλοιον περίττωμα διεφθόρος καὶ νοσήδες.

³ *Plut. Symp.* VIII. viii. 2.

⁴ *Comp. Clem. Alex. Strom.* VII. p. 718 ed. Sylb.

⁵ *Horapoll.* l. 44, ἀθέμιτον θελοῦντας ἢ καὶ μῦθον, ἵχθύν ζωγραφῶσαι... νενεκοῖόν γάρ ἱχθῦς πᾶς καὶ ἀλληλοφάγον; *comp. also Comm. on Lev.* l. 81.

⁶ *Xen. Anab.* l. iv. 9; *Porph. Abst.*

II. 61; *Diod. Sic.* II. 4; *Lucian, Syr. Dea* c. 14; *Cic. Nat. Deor.* III. 15, §. 39; *comp. Ovid, Fast.* II. 473, 474, Inde nefas ducunt genus hoc imponere mensis Nec violant timidi piscibus ora Syri.

⁷ *Plut. De Superst.* c. 10; *Porph. Abst.* IV. 15; *Mart. IV. XLIII.* 7 (Juro per Syrios tibi tumores).

⁸ *Lucian, Syr. Dea* 45; *Plin. H. N.* XXXII. 2 or 8.

⁹ *Lucian* l. c. 46; *comp. c.* 14.

Advanced schools of Greek philosophy, in recommending reverence for all tame and harmless beasts not calling for man's self-defence, aimed at a regeneration of paganism by a nobler and purer life, such as is only suggested by matured and almost ideal aspirations. Indeed they enjoined abstinence from animal food "not upon all men alike but only upon philosophers, and among these upon such only as seek their felicity in God and in the imitation of His nature"¹¹. After the destruction of Jerusalem by Titus, many Jewish enthusiasts scrupled to eat meat, as they refused to drink wine, because the animal could no longer be killed at the holy altar, and the priests no longer received their portions¹². Some of the older Karaites believed it to be a duty of the Jews not to eat meat in the countries of their dispersion¹³; and the later leaders of the same sect, from conviction and inclination averse to the slaughter of animals, and yet finding it sanctioned by Divine permission, attempted an escape from this dilemma by the supposition, gradually raised into an article of faith, that God grants to the killed beast "compensation" (חטוי) for its pain and premature death; and this recalls the conception of those North-Americans who attribute a rational soul to the beaver, and of the South-Americans who regard the llama in the same light; the people of Kamschatka solemnly apologise to the animals they kill for the liberty they take with them; and the Mahomedans in Egypt, when about to slaughter an animal, usually say, "May God give thee patience to endure the affliction which He has allotted to thee"¹⁴. The Japanese, it is well known, are averse to the chase; they refrain from killing or eating animals, although

¹⁴ *Lanc*, Mod. Eg. I. 132.

they place meat unreservedly before their foreign guests; and they look upon butchers as men who are permanently in an unclean state and ought to be excluded from the society of other classes: but all this is a result of their highly developed and humane "religion of the spirits" or "Kami".

Indeed the thoughtful and philosophic minds among the Greeks and Romans themselves give an account of the first stages of mankind, which materially differs from that furnished by poets and imaginative writers; they forcibly describe the struggles and hardships, the rude fierceness and indomitable violence of the earliest generations; and they lay due stress upon the hot and desperate warfare unceasingly carried on against noxious and rapacious beasts¹. That similar convictions were entertained by the ablest men among the Hebrews, before their clear sense of historic truth was dimmed by the love of religious myths, could hardly be doubted, even if the Bible did not, in the very story of Eden, allude to garments of *skins*².

It may then be supposed that the early Hebrews, as they advanced in experience, availed themselves of animal food like every other nation³; and it appears that for long periods they consumed the flesh of all eatable animals indifferently, unawed by any religious restriction, and knowing no limits beyond individual dislike and sanitary precaution. This stage in the history of animal diet is embodied in the command attributed to God at the time of Noah: "Every

¹ Comp. *Herod.* II. 37; *Anthol. Gr.* 923 sqq., 963 sqq.; *Plato*, *Republ.* II. 11 (see *Aristot.* *Polit.* IV. 3, 4); etc.
² Gen. III. 21. According to the Talmud (*Sanh.* 59^b), "angels roasted meat for Adam in Paradise", to which Rashi observes, that Adam was consequently permitted to eat the flesh of *רמא* and *רמא*. The Midrash suggests that the skin of the serpent furnished the first garments, or that these were originally "light" (*אור*) changed, after the fall, into "skins" (*עור*); comp. *Talk. Chad.* 1^a §§ 10, 11; 1^b § 29.
³ In the desert, they murmured against the manna which gave them no strength (*Num.* XI. 6), and longed for the rich fleshpots and the fishes of Egypt, though also for its excellent vegetables (*Exod.* XVI. 3; *Num.* XI. 4, 5).

² Comp. *Diod. Sic.* I. 8; *Lucret.* V.

moving thing that lives shall belong to you for food; just as the green herb I give you all things"⁸; and in harmony with this universal permission, the older or Elohist document never, throughout the history of the Deluge, classifies the animals in reference to purity⁹.

But gradually we find unmistakeable though not very striking distinctions made between clean and unclean food. Manoah's wife was commanded by the angel who announced to her the birth of her son Samson, not to eat any "unclean thing"¹, and to avoid wine and strong drink (שכר). What were the "unclean" things referred to? If the passage does not enable us to answer this question, it is highly instructive from a historical point of view. It proves that in Manoah's time the rules of clean and unclean were still in a rudimentary stage; that they were not binding upon all Israelites, but like abstinence from wine and strong drink, they were recommended only to persons in an exceptional state of holiness²; that, in fact, the universal and complicated dietary laws of the Pentateuch did not yet exist, and were certainly not promulgated or acknowledged: would it else have been necessary specially to caution the mother of a Nazarite against food which all Hebrews alike were taught to shun as an abomination?

Yet it could not fail, on the one hand, that the aversion to "unclean" meat spread, in the course of time, among all classes of the people, and on the other hand, that the notions of clean and unclean food were more clearly and more elaborately defined. The prophet Hosea (B. C. 750) declared that the Israelites, as a just punishment for their iniquity, should "return to Egypt, and eat unclean things in Assyria"³; and the Jehovistic writer of Genesis advisedly and consistently introduced in the narrative of the Deluge that distinction between "clean and unclean animals", which in the interval that had elapsed since the age of the Elohist, had been established and eagerly developed¹⁰. Now the usage, taking deeper root, was more and more surrounded with religious sanctity, so that the Deuteronomist could venture to attempt a systematic classification on broad and precise principles, which, still later, the compilers of Leviticus were able to employ as main pillars of their theocratic edifice¹¹. The criteria fixed upon were indeed capricious and fanciful: for granting that rumin-

⁸ Gen. IX. 3, כל יֶרֶשׁ לֶחֶם אֶרֶץ כְּכֹל יֶרֶשׁ... כל יֶרֶשׁ

⁹ Comp. Gen. VI. 19, 20; VII. 14—16; 21—23; VIII. 1, 17, 19; IX. 10.

¹ * כל יֶרֶשׁ לֶחֶם אֶרֶץ כְּכֹל יֶרֶשׁ, Judg. XIII. 4; 7, 14.

² Comp. Com. on Lev. I. 700—702.

³ Hos. IX. 3, יִשְׂרָאֵל יֹאמַר, יִשְׂרָאֵל יֹאמַר.

¹⁰ Comp. Gen. VII. 2, 8; VIII. 20; see Comm. on Gen. pp. 183, 184.

¹¹ Deut. XIV. 3—21; Lev. XI. 2—47.

ants digest and assimilate their food in the completest manner¹, and supposing that fishes with both fins and scales are the most healthy for some physiological reason²; on what natural principle can pre-eminent purity be attributed to insects provided with springing legs³? Yet as these criteria, on the whole, included the animals sanctioned by usage as clean, and proscribed those long and popularly held to be unclean, they were welcomed as lending an appearance of scientific order to a variety of isolated instances thus speciously raised into a law.

For the whole animal creation⁴ was commonly divided into three principal groups: (1) the inhabitants of the firm land, (2) of the water, and (3) of the air⁵. Each of these three groups was again divided into two large classes, (a) one including (not consisting of) the species which struck the Hebrews as "clean", and were held by them to be fit for food; and (b) one consisting of the species which, with one single exception, were considered unclean and unfit for food, and were designated by the general term of "creeping things"⁶. Now (1) the inhabitants of the *firm land* belonging (a) to the first class, included the large land-animals or Quadrupeds⁷, and were subdivided into the tame or domesticated "cattle", and the free or wild "beasts of the field"⁸. Those belonging (b) to the second class or "the creeping things"⁹, comprised those animals also that live

¹ See notes on XI. 2—8.

² See notes on XI. 9—12.

³ Deut. XIV. 6, 9, 10; Lev. XI. 3, 9, 10, 12, 21. See notes on XI. 2—8.

⁴ Designated as חיות (Gen. VIII. 17, 19; Lev. XI. 27, 47; comp. *Sifra* fol. 48^a; *Talm.* Chull. 70^b, 71^a — חיות בלא חיות; or חיות הארץ (Gen. IX. 10); or נפש חיה (Gen. I. 24; II. 19; IX. 10, comp. ver. 16); or חיותם (Lev. XI. 2; Ps. XXXVI. 7; comp. *Sifra*, *Talm.* II. 60; Chull. 59^a — חיותם בלא חיות; or חיות על הארץ (Gen. VIII. 19); or חיות אשר הוא חיה (Gen. IX. 8); or חיות על הארץ (Gen. VII. 21).

⁵ Gen. I. 28, חיות הארץ על הארץ, חיות הארץ, and חיות הארץ.

⁶ עקב, or עקב.

⁷ בעל (Gen. I. 24, 26, etc.; 1 Ki. V. 13), or חיות (Gen. I. 30; IX. 2); also חיות (Gen. II. 19).

⁸ חיות and חיות (see Gen. VIII. 1; Isai. XLVI. 1; Lev. XVII. 3; comp. *Galen.* De Alim. Facult. III. 14, *ἡμιαὶ καὶ εἴδη* (ἡμια); the latter are also termed חיות הארץ or חיות הארץ (Gen. I. 24, 25), or חיות הארץ (Exod. XXIII. 11; Lev. XXVI. 22; Deut. VII. 22; Hos. II. 14; etc.), or חיות חיה (Ps. CIV. 20) or חיות חיה (Isai. LVI. 9), and poetically חיות חיה (Ps. VIII. 8). Yet in Is. LVI. 9, חיות חיה is freely used for the tame cattle, in contradistinction to חיות חיה.

⁹ חיות (Gen. I. 24; 1 Ki. V. 13); or חיות הארץ (Gen. I. 25; VI. 20; VII. 23); or חיות על הארץ (Gen. VII. 23); or חיות על הארץ (Gen. I. 26, 30; VIII. 17; comp. IX. 2); or חיות (Lev. XI. 43); or חיות על הארץ (Gen. VII. 21; XI. 29, 41, 42); or חיות חיה (Lev. XI. 46).

or work *under* the earth or in darkness, and therefore included the Insectivora, as the hedgehog, the pigmy shrew, and the mole; the Rodentia, as the rat, the mouse, the hamster, and the porcupine; and the Edentata, as the sloth and armadillo; the wingless Insects, as the ants; many Serpents and Worms (esp. earth-worms), Mollusks and Radiata, Reptiles, Crustacea (as the land-crab and dog-crab), and Spiders ¹⁰. — (2) The habitants of the *water* included (*a*) in the first class, were the Fishes and some larger aquatic animals, as the Whale-tribe (cetacea) ¹¹. Those belonging (*b*) to the second class or the “creeping things of the water” ¹² embraced probably several species of the Rodentia with natant membranous hind-feet, as the beaver and otter; perhaps the Seal-tribe (pinnipeda), which, however, range under the mammalia ¹³; nearly all the Worms, and most of the Mollusks, whether they are provided with a shell or not, and whether that shell is one entire piece or consists of two parts; and other invertebrates of lower organisation — the Radiata, the Acalepha or sea-nettles, and the Infusoria. — And (3) the habitants of the *air* belonging (*a*) to the first class comprised the Birds ¹⁴, among which the Bat-tribe (cheiroptera) was numbered ¹⁵. Those belonging (*b*) to the second class or the “winged creeping things” ¹⁶ were the Insects. — A complete enumeration of the animal kingdom comprehended, therefore, the following seven classes — the domesticated cattle (בְּרִיחַ); the untamed quadrupeds (חַיָּה); birds (עוֹף); fishes (דָּגִים); the “creeping things” of the earth (שָׂרְץ הָאֶרֶץ); of the water (שָׂרְץ הַמַּיִם); and of the air (שָׂרְץ הָעוֹף); though the last three were generally mentioned by the collective term “creeping things (שָׂרְץ)” ¹⁷. This division is represented in the following table.

¹⁰ The land animals consisted, therefore, of three kinds — **בְּהֵמָה**, **חַיָּה אֲרֻמָּה**, and **רֶמֶשׂ**; Gen. I. 24, 25.

¹¹ דגית הים, or דגית הים, or דגית הים, or דגית
הים, or דגית הים, or דגית הים, or דגית
הים (Gen. I. 21, 26, 28; IX. 2; Lev.
XI. 46; 1 Ki. V. 13). The ancients, it
is well known, generally classed the
whale among the fishes (see *Aristot.*
Hist. An. V. iv. 2; Plin. IX. 24 or 40,
50 or 74; Galen. De Aliment. Facult.
III. 37).

¹² **לֹא יִשְׁתַּחֲוֶה אִישׁ אֶת אֱלֹהֵי אֲחֵרִים**, Lev. XI.46; Gen.I.21; although

these terms comprise, like **דג** and **דגים**, the clean fishes also, Gen. I. 26, 28; IX. 2; comp. Ex. VII. 18.

¹³ Comp. *Maim.* De Cib. Vet. II. 12, 13.

14 עַל פִּי אוֹתָם עַל פִּי אוֹתָם, or עַל פִּי
or עַל פִּי (Gen. I. 21, 26, 28, 30; VI.
20; VII. 14; 1 Ki. V. 13; Ps. CIV. 17).

¹⁵ Lev. XI. 19, *et seq.*

¹⁶ טַיִם הַיָּדָיִם, Lev. XI. 20 - 23; see the notes *in loc.*

¹⁷ See Gen. I. 24, 25; II. 20; VII. 14, 21; IX. 10; 1 Ki. V. 13; comp. Ps. VIII. 8, 9; CIV. 11, 12, 14; Comm. on Lev. I. p. 78 note 4.

ANIMAL CREATION

(כל החיות)

Habitants of the Land (דורו והמשכן על הארץ)		Habitants of the Water (דגני הים)		Habitants of the Air (עוף השמים)	
Quadrupeds (בהמות)	Creeping Things (רמש הארץ)	Fishes and larger Aquatics (דגני הים)	Creeping Things of the Water (טריף הים)	Birds (עוף)	Winged creeping Things (טריף העוף)
Cattle (בהמות)	Wild Beasts (חיה)				

But the "creeping things" were, from another point of view, namely from their mode of locomotion, also divided into the four following orders: (1) "Those that go upon four feet"¹, including many of the fourfooted *Reptiles*, viz. Turtles (*chelonina*), Lizards (*sauria*), and Frogs (*batrachia*); (2) "Those that have many feet"², among which were reckoned the *Crustacea*, as crab and lobster, shrimp and prawn, the *Myriopoda*, and the *Spiders* (*Arachnida*), with the scorpions and mites; (3) "The winged creeping things"³ or *Insects*; and (4) "Those that go upon the belly"⁴, comprising the *Serpent-tribe* and *Worms* (*Annelida*); the *Mollusks*, which move or crawl, either by means of flexible and expansive muscles⁵, or by a peculiar kind of feelers⁶, or by wing-like organs⁷; the *Radiata*, which are enabled to move along by singular tufts or tentacula; and the *Entozoa*, those wormlike, troublesome, and often dangerous intestinal parasites.

Is it necessary to point out the very rudimentary and imperfect nature of all these classifications? Each of the three great groups, nay even two of the classes of "creeping things" include mammalia; there is no trace of an analysis of structure or organisation; and superficial appearance was the only guide.

Now, out of the first two of the seven classes (בהמות and חיה), the ox, the sheep, and the goat, of supreme importance to a nation of shepherds and agriculturists, and the stag and the roebuck, formed the ordinary staple of animal food; they were, therefore, set down as the normal clean beasts; from them the qualifications for all lawful quadrupeds were deduced; and thus the chewing of the cud and cloven feet became indispensable criteria. Of fishes, certain kinds, mostly fresh-water fish, were probably eaten without reluctance, while other aquatic animals, repulsive and unsightly, as the serpent- or lizard-like creatures, the slimy cetacea and testacea, and similar, par-

¹ דורו על ארבע, Lev. XI. 42.² רמשו רגליהם, *ibid.*³ טריף העוף, see *supra*.⁴ דורו על בטן, Lev. XI. 42.⁵ Gasteropoda, as the snails.⁶ Cephalopoda, as the sepia or cuttle fish.⁷ Pteropoda, as the whale mussel or clio.

ticularly marine species, were held in aversion, though we have no detailed information on the subject⁸; and as it was found that the former only are provided with both scales and fins, and the latter not—as the shark, the ray, and the sun-fish, which are destitute of scales, or the seal and walrus which were supposed to have no fins⁹—scales and fins were made the tests of clean aquatics. Of the class of $\gamma\omega$, a few kinds of locusts only were eaten, and hence springing legs were made the necessary qualification for permitted insects. With respect to birds, no common criteria seem to have been discovered, none at least were set forth by the legislators, who preferred to give a full enumeration of the unclean species, from which it is easy to conclude, as far as the names can be identified, that they considered as unclean all birds of prey, those that feed upon carcass, and those that shun the light of day¹⁰.

This being the natural and historic process by which the criteria were arrived at, we can hardly be surprised at the singular mistakes which meet us at every step, both in the general laws and in the details. Let us first examine the principal rule concerning quadrupeds. In a series of precepts headed, "And the Lord spoke to Moses and to Aaron saying", we read, "Whatsoever is hoofed and is clovenfooted"¹¹, or "whatever is hoofed and has a *two*-cleft hoof", as the Deuteronomist more distinctly expresses it¹², "and chews the cud, among the beasts, that you may eat"¹³. From these words it would appear that there are ruminants not bisulcate, and that there are bisulcates not ruminant; indeed the text dispels every doubt by adducing alleged instances both of the one and the other kind of quadruped. Yet such animals do not exist. It is a zoological fact, which an authority like Cuvier called "as certain as any other in physics or morals", that "all ruminants have the foot cleft, and that they only have it"¹⁴. What are the obvious conclusions to be drawn from this fact? First, that the Biblical rule concerning clean and unclean quadrupeds is illusory; for there are not two independent or separate criteria, but there is only one; the formation of the stomach is decisive for that of the foot; all ruminants are bisulcate, and all

⁸ See *infra*.

⁹ See, however, *infra*.

¹⁰ See notes on XI. 15—19; comp. also *Philo*, De Concup. c. 9; *Porph.* Abst. IV. 7, πτηγῶν δὲ ἔσθ' εὐαρεστώτα (ἀνελχόντο οἱ Αἰγύπτιοι ἱερῆς). On the criteria attempted by later Jew-

ish tradition see the notes on XI. 13—19.

¹¹ וְכָל־הַבְּרִיָּה שֶׁנֶּחֱסָה.

¹² וְכָל־הַבְּרִיָּה שֶׁנֶּחֱסָה שְׁנֵי שֵׁנִים, i. e. and is bisulcate.

¹³ Lev. XI. 3; Deut. XIV. 6.

¹⁴ See *Cuvier*, Ossements fossiles, ed. 4^{me}, I. 164.

bisulcates are ruminant. And secondly, every one of the four instances or illustrations brought forward by the Biblical writer is necessarily erroneous; any attempt at defending them implies an impotent struggle against science: the camel, which the Bible admits to ruminate, is *eo ipso* cloven-footed; the hyrax and the hare, which the Bible admits to be devoid of a two-cleft hoof, are *eo ipso* no ruminants; and the pig, which the Bible admits to be no ruminant, can *eo ipso* have no two-cleft hoof.

We may now briefly glance at the individual cases. The hare is described as a ruminant¹, because, in eating, it makes with the lips a playful and twitching movement which has the appearance as if the animal were chewing the cud, just as the squirrel and other rodentia are even in modern times occasionally represented as ruminants, and for the same reason². Yet it needs not be elaborately proved, that the hare is no ruminant, but belongs to the rodents (*glîres*). It has a simple stomach, the structure of which, like that of the intestines, is totally distinct from that of ruminants³; and its teeth are so arranged that they appear in the upper jaw also, whereas those of ruminants seem to be in the lower jaw only⁴. It is futile to appeal to the vague testimonies of uneducated gamekeepers in support of a view which could prevail only in an unscientific age⁵. The flesh of the hare was

¹ Deut. XIV. 7; Lev. XI. 6. The reading of some codices of the Septuagint $\delta\tau\iota\ \sigma\upsilon\chi\ \delta\nu\acute{\alpha}\gamma\epsilon\iota\ \mu\epsilon\tau\epsilon\chi\iota\sigma\mu\acute{\epsilon}\nu$, is a transparent and very unhappy emendation, since the animals introduced as illustrations are supposed to have at least one of the two criteria (comp. ver. 4, where Michaelis renders the sense correctly, though not the words, "folgendes aber das *entweder* wiederkäuert *oder* einen gespaltenen Fuss hat").

² Comp. Goldsmith, History of the Earth and Animated Nature, III. 5, "the rhinoceros, the camel, the horse, the rabbit, the marmotte, and the squirrel, all chew the cud by intervals; . . . among birds, the pelican, the stork, the heron, the pigeon, and the turtle; . . . among fishes, the lobsters, crabs, the dorado, the salmon; of insects, the ruminating tribe is still larger; the cricket, the wasp,

the drone, the bee, the grasshopper, and the beetle: all these animals either actually chew the cud or seem at least to ruminate; . . . but not these alone; men themselves have been often known to ruminate, and some even with pleasure"; see also Ovid, Halieut. 119, *scarus epastas solus qui ruminat escas*.

³ Brehm, Illustriertes Thierleben II. 60, "the stomach of the rodents is simple, though occasionally separated into two parts by contraction"; one division serves as a crop-like receptacle for food; comp. Naturforscher, II. 391.

⁴ Comp. Talm. Chull. 59^a $\text{רַבִּי חֲמֵל בְּרַבִּי הִלְכֵי הַיָּרֵחַ}$; *Rab* on Mishn. Chull. III. 1, p. 101; see *infra* p. 70.

⁵ Comp. the wavering remarks of Michaelis in his notes on XI. 6, and the inaccurate ones of Rosenmüller in Schol. ad Lev. XI. 6, and Bibl. Na-

indeed permitted to the Hindoo priests⁶, and was eaten by the Greeks and Romans and some Eastern nations, as the Arabs, who still extensively partake of it. But the Hebrews, like many others — as the Parsees, who consider the hare the most unclean of all beasts⁷, the Turks, the Armenian Christians warned by Pope Zechariah⁸, and the ancient Britons⁹, — were accustomed to shun that flesh, which is soft and tasteless in the East¹⁰; perhaps they believed it to be unwholesome as engendering thick blood and somnolence¹¹, or they detested the hare on account of the loathsome disorders to which it is subject, it may be in consequence of its lasciviousness and its capacity of superfetation¹². Therefore the Hebrew legislator, having no other object but to sanction a national custom, forbade the hare on account of the structure of its feet¹³, though he erroneously believed it to answer to the second assumed criterion of clean quadrupeds. Utterly untenable, therefore, are all apologetic subterfuges; for instance, that the author merely desired to decide, "which animal was, for the interpretation of the Law and *in jure*, to be considered as chewing the cud or as having divided hoofs", without influencing the convictions of naturalists¹⁴; or that "the usage of language follows external appearance rather than the searching analysis of the philosopher"¹⁵: as if the criteria were not meant to point to some peculiar organisation affecting the very nature of the animals¹⁶.

Again, the camel which was forbidden on the plea that "it does

turgesch. II. 212; also *Lenysohn*, Zool. des Talm. p. 109.

⁶ *Mann* V. 18; *Yájnav.* I. 177.

⁷ *Niebuhr*, Reisebeschreib. II. 47.

⁸ *Epist.* XII. ad Bonifacium.

⁹ *Comp. Caes.* Bell. Gall. V. 12, leporem et gallinam et anserem gustare — Britannici — fas non putant.

¹⁰ *Sauvages*, Trav. II. 91; *Pruner*, Krankheiten des Orients, p. 52; both quoted by Knobel on Levit. p. 445.

¹¹ *Plin.* XXVIII. 19 or 79; *Galen.* De Aliment. Facult. III. 2, ἡ τῶν λαγῶν σὰρξ αἵματος παχυτέρου γεννιτικῆς; though he recommends hare soup and the blood of the hare as comparatively healthy (loc. cit. c. 23).

¹² *Comp. Herod.* III. 108 (ἐκτεταταί μοῦνον πάντων θηρίων); *Aristot.* Hist. An. VI. xxviii. 3 (ἐκτετακέναι

ὅταν κώπῃ); *Gener. An.* IV. 5; *Plin.* VIII. 55 or 81 (solus praeter dasypodem superfetat); *Ael.* Nat. An. II. 12; *Xenoph.* Cyneg. V. 6, 13 (συνδιδίχεται μὲν δὲ, πολύγονον δ' ἐστὶν οὕτως ὥστε τὰ μὲν τέτοξε, τὰ δὲ τίχται, τὰ δὲ κύει; *Athen.* IX. 63; *Plut.* Sympos. IV. v. 2, 3, speaking of the Jews ὡς μυσσάρων καὶ ἀκιδάπτων δυσχεραίνοντας τὸ ζῶον); esp. *Clem. Alex.* Paedag. II. pp. 188, 190, 191: on the prodigious fruitfulness of the hare see *Athen.* l. c.

¹³ Which are not simply divided into two parts, the forefeet having five, the hindfeet four toes.

¹⁴ *Michaelis*, Mos. R. § 204.

¹⁵ *Brentano* on Lev. XI. 6.

¹⁶ Nearly all that has here been remarked of the hare, applies also to the rock-badger or hyrax (ἡρῆ).

not divide the hoof"¹, has in reality cloven feet; the division extends over the entire depth of the foot, and is often wide enough to allow the hand to be passed through²: however, the toes, affording no flattened surface for the limb to bear upon, are lengthened, tipped with small hoofs only, and rest upon a large and pulpy sole or elastic pad, as upon a cushion, on which the camel treads³; and on account of this unessential peculiarity it was declared to have undivided feet. And why? Simply because it was necessary to find a reason, in accordance with the criteria set forth, for prohibiting camel's flesh, which, though eaten by the Persians⁴ and many Arab tribes⁵, and lawful among the Mahommedans⁶, was avoided as food by many eastern nations, as the Hindoos, the Zabii, and Egyptians⁷, as it is still disdained by the Copts⁸; for it was supposed to be heating and to engender cruelty and revengefulness⁹, which latter quality was commonly attributed to the camel itself¹⁰. But in reality there is no reason for the exclusion of the camel from the number of clean ani-

¹ Lev. XI. 4.

² *Arist. Hist. An.* II. ii. 6, ἔστι δὲ δὶχτυλον (and then he gives a very full, but somewhat indistinct description of the foot); *Plin.* XI. 45 or 105, est enim bisulcum, adding however discriminate exiguo.

³ *Aristot.* l. c. ὁ δὲ ποὺς ἐστὶ κατὰ θέν σαρκώδης, ὥσπερ καὶ οἱ τῶν ἄρκτων.

⁴ *Herod.* I. 133; *Athen.* IV. 6; *Anquetil du Perron*, Bundeheesch c. XIV, see *infra*.

⁵ *Diod. Sic.* II. 54, αἱ μὲν γὰρ παρ-εχόμεναι καὶ κρεοφαγούμεναι πολλὴν παρέχονται τοῖς ἐγχωρίοις θαφίλειαν; comp. III. 43; *Arist. Hist. An.* VI. 25, ἔχει δὲ καὶ τὰ κρέα καὶ τὰ γάλα ἱδίστα πάντων; *Leo Africanus*, *Africae Descr.* lib. I. p. 48 ed. Elzevir, jubet nactare omnium generum camelos; *Votney and Seetzen*, *Pococke*, *Russell*, and others, in *Rosenmüller's* *Morgenland*, I. 161, 162; II. 163, 164; *Sonnini*, *Voyage*, II. 125 (les Arabes et les habitants de l'Egypte, autres que les chrétiens, regardent sa chair comme un aliment de choix, et même

comme une nourriture saine); *Burckhardt*, *Beduinen*, p. 50 (Germ. Transl.); *Rosenm.* *Alterth.* IV. ii. 9, 14—16.

⁶ *Koran* VI. 145; comp. *Sale*, *Koran*, pp. 42, 47, 113 notes.

⁷ *Manu* V. 18; *Holting.* *Hist. Orient.* p. 186; comp. *Porph.* *Abst.* I. 14.

⁸ *Lanc.* *Mod. Egypt.* III. 188, ed. 1846. *Galenus* (*De Aliment. Facult.* III. 2, comp. I. 2) remarks sarcastically, that the flesh of camels and asses is eaten by people "who both in body and mind are asinine and camel-like". It is unwarranted to speak of the "doubtful state of the matter", and utterly untenable to suppose that the camel was forbidden to the Hebrews in order to promote their separation and estrangement from the Arabs (*Michaël*, l. c. p. 139 and on Lev. XI. 4; similarly also *Ewald*, *Alterth.* p. 206).

⁹ Comp. *Rosenm.* *Alterth.* IV. ii. 16.

¹⁰ Comp. *Talm.* *Shabb.* 51^b; *Sanh.* 37^b; לָקַח was derived from לָקַח in the sense of *retaliating*, *Bock.* *Hieroz.* I. 74, 75; comp., however, *Gesen.* *Thes.* p. 293.

mals; it shares most of their characteristics with respect to food, and the formation of the teeth¹¹ and the stomach; that it is a ruminant, has never been disputed; it is indeed distinguished from all other cloven-footed quadrupeds by the absence of frontal horns¹², but this difference ought to be an additional motive for counting it among the tame and clean animals¹³.

And lastly, the swine is described as "hoofed and cloven-footed, but not chewing the cud"¹⁴. This statement has hitherto remained so entirely unquestioned by critics, that apologists saw no necessity for devising a specious defence. And yet it is no less fallacious than the description of the hare and the camel. The feet of swine are *not* two-cleft (bisulcous), and their structure does *not* resemble that of the clean quadrupeds, such as the ox and the sheep, the stag and the hart. It suffices to remark that, while some species of swine are provided with a solid hoof¹⁵, the feet of the Pig-tribe generally (belonging to the group *Pachydermata ordinaria*) have *four* toes inclosed in separate hoofs; but as the two central ones are much the largest, and are divided by a deep cleft, the swine was considered to have a two-cleft foot. Thus, in this instance also, illusory appearance took the place of knowledge.

It is, therefore, indeed surprising to hear the "Mosaic" division of animals described as "easy and natural", "systematic and admirable", "beautifully simple and scientific", "useful still in our time and even to scholars"¹⁶.

Mistakes similar to those which the Bible made in fixing the law, were made by the later Jews in applying and interpreting it, and for the same reason. It is well known that fins, forming substitutes for imperfectly developed limbs, are found in *all* fishes as indispensable organs. "Median fins are very characteristic of fishes, and it is questionable if any fish exists altogether devoid of the system of median fin-rays and their supports"¹⁷. But

¹¹ Comp. *Talm.* Chull. 59^a; *Aristot.* Hist. An. II. iii. 8, ἐστὶ δ' ἕνα οὐκ ἀμφώδοντα καὶ ἀτέρατα οἷον κάμυλος; *Plin.* VIII. 17 or 26 (dentium superiore ordine carent ut boves); XI. 37 or 62; see *infra*.

¹² Comp. *Aristot.* Hist. An. II. ii. 9, τὰ μὲν οὖν κλειστά τῶν ἐχόντων κέρατα τρίχλα κατὰ φύσιν ἐστὶν; *Plin.* XI. 45 or 105, solidas habent ungulas quae non sunt cornigera, igitur pro his telum ungulae ictus est illis.

¹³ Comp. *Aristot.* De Part. Anim. III. ii.

¹⁴ Lev. XI. 7; comp. Deut. XIV. 8.

¹⁵ *Aristot.* Hist. An. II. ii. 8, εἰσι γὰρ ἐν ἰλλυριοῖς καὶ ἐν Ἰανονίῃ καὶ ἄλλοις μόνυχες ὄντες; *Plin.* XI. 46 or 106.

¹⁶ *Michaelis* l. c.; *Killo* on XI. 3 and 47.

¹⁷ *Huxley*, Lectures on the Elements of Comparative Anatomy, p. 63.

the Mishnah propounded this rule — "All fishes with scales have invariably fins also; but fishes that have fins, have not always scales"¹: hence Jewish tradition permitted unconditionally all fishes with scales, but declared that those which have fins must be carefully examined with respect to scales². Not the presence or absence of fins is characteristic, but their nature or position; it is these that decide the various subdivisions of the class, and determine their higher or lower place. It is, therefore, a strange tautology to speak of "fishes that have fins"; but as in some species, the fins are partially small and concealed, finless fishes were assumed and deemed possible. Nor were the Rabbins happier in classifying the fishes destitute of scales, for they included among them, and therefore prohibited, the eel³, which, however, undoubtedly has scales, though these are hidden in the thick skin and delicately fine: they may have disdained the eel on account of its serpent-like appearance, since its fins also are very small and fewer than the normal number⁴; they possibly detested it because it was revered as a most holy deity among the Egyptians⁵; they may, besides, have regarded it unwholesome food⁶, as it is still regarded by the best medical authorities⁷; but they had not to make new statutes, but to expound existing laws, and they would not have ventured to forbid the eel, had they considered it to possess the Biblical criteria of a clean fish.

But even granting the propriety and correctness of the tests, the artificial character of the law is manifest from the arrangement of the details. The number *ten* prevails in the enumeration of the species: the Deuteronomist mentions *ten* clean kinds of quadrupeds⁸, and

¹ *Mishn.* Nidd. VI. 9.

² *Talm.* Nidd. 51^b; *Avod. Zar.* 40^a; *Yor. Deah* § 83. 3.

³ *Comp. Talm. Avod. Zar.* 39^a מִיִּזְמָה, which Rashi explains by מִיִּזְמָה, anguille; *Origen.* Hom. in Levit. VII. c. 8; *comp. Aruch* sub מִיִּזְמָה, "an unclean fish, thin, long, round, snake-like, slippery"; Arab. also מִיִּזְמָה, though the common Arabic name for eel is *سبيكة*, corresponding to the Greek *εγγελευς*.

⁴ *Comp. Athen.* VII. 90.

⁵ *Herod.* II. 72; *Athen.* VII. 55.

⁶ *Comp. Galen.* De Aliment. Facult. III. 30, μυχθηροτάτη δ' εὐρίσκειται καὶ τῆς συμπαίντης ἡ σάρξ πλ.

⁷ *Comp. Burdach* in Ersch und Gruber's Encycl. I. i. 15, 16, "The eel is rather nutritious, but difficult of digestion; on account of its fatness, it resists the gastric juices, and slackens the activity of the stomach; therefore, it easily engenders diseases of the stomach and the intestinal canal; it must be eaten cautiously and moderately", etc.

⁸ The ox, the sheep, and the goat, the hart (זֶרֶק, Sept. and *Philo.* De Concup. c. 5, Ἰλαρός stag, Vulg. cervus, Luther and De Wette Hirsch), the roebuck (קָז, Sept. ὀρεβάς gazelle, Vulg. caprea, Luther Reh, De Wette, Knobel Gasselle) and the fallow-deer (קָז, Sept.

Leviticus *twenty* unclean birds⁹; the peculiar significance attributed throughout the Pentateuch to that number, needs not be pointed out again¹⁰; it was acknowledged by the later Jews, especially when they became familiar with the views of the Pythagoreans and Neo-Platonicians¹¹; and it is, in reference to our law, expressly urged by Philo in these terms: "Ten of the quadrupeds are clean . . . For Moses always adhered to that arithmetical theory which, as he originally devised it with the minutest accuracy possible, he extends to all existing things, so that he establishes no ordinances, whether important or unimportant, without employing, and as it were adapting, this number as peculiar to the regulations which he is ordaining¹²; since of all the numbers, beginning from the unit, the most perfect is the number ten, and, as Moses says, the most sacred of all and a holy number"¹³. Therefore, both the criteria and the lists of the animals are the result of a studied and deliberate plan meant to classify and to group a mass of given facts and instances. Nor is even here the progress wanting which, in all similar ordinances, the Book of Leviticus exhibits if compared with Deuteronomy. The former not only repeats the old objections to all "creeping things" (γῆ), and introduces a new distinction between clean and unclean insects with the view of sanctioning the edible locusts characterised by the peculiar structure of their feet¹⁴, but it insists upon the religious or rather Levitical aspect of the dietary laws with a fulness and an intense earnestness, which leave no doubt whatever as to the

βούβαλος buffalo, Vulg. bubalus, Luther Büffel, De Wette, Knobel Dammhirsch), the wild goat (ῥα, Sept. τραγέλαφος bearded deer, Vulg. tragelaphus, Luther and De Wette Steinbock), the pygarg (ῥα, Sept. πύργαρος pygarg, Luther Tendle), the wild ox (ῥα, Sept. ὄρυξ a kind of antelope, Vulg. oryx, Luther Auerochs), and the chamois (ῥα, Sept. χαμυλοπέδαλις giraffe, Vulg. camelopardalus, Luther Elend). The identity and nature of these animals will be discussed in the notes on Deut. XIV. 4, 5.

⁹ The eagle, the ossifrage, and the vulture, the falcon, the kite, and the raven, the ostrich, the *sachmas*, the sea-gull, and the hawk, the eared owl, the frigate bird, and the night owl,

the cormorant, the pelican, and the *sacham*, the heron, the ibis, the hoopoe and the bat (Lev. XI. 13—19; see notes *in loc.*). On the number of *twenty-one* birds specified in Deuteronomy (XIV. 12, 18) see *ibid.*

¹⁰ See Comm. on Gen. p. 157.

¹¹ Comp. *Lucian*, *Vitar. Auct. c. IV.*, δὲ οὐ δοκέεις τίςσασθαι, ταῦτα δέκα ἐστὶ καὶ τρίγωνον ἐντελὲς καὶ ἡμέτερον ὄρεον; *Plut. Symp. IX. iii. 1, 2*; etc.

¹² Καὶ ὁσπερ ἐπαρμόσας τὸν οὐρανὸν τοῖς νομοθετοῦμένοις.

¹³ *Philo*, *De Concup. c. 5*, δοῦναι τῶν ἀπὸ μονάδος τελειότατος ἢ δεκάς καὶ, ὡς φησὶ Μωσῆς, ἱερώτατός τε καὶ ἁγίος.

¹⁴ Lev. XI. 20—23. See notes on XI. 1.

direction in which the Hebrew mind had advanced'. And this leads us to the important enquiry — Which were the motives that originally prompted abstinence from certain animals? and what rules guided the authors of the Pentateuch in confirming and enforcing the traditional customs?

Some of the answers given hardly deserve serious consideration. The legislator, it has been maintained, followed no definite or intelligible principles, but fixed arbitrary ordinances and restrictions at pleasure, merely in order to train the Hebrews in obedience¹, if not, as the Koran curiously contends, to punish them for their disobedience²; the former view would annul at a stroke all rational study of the Bible; the latter is a fair specimen of Mohammed's knowledge and interpretation of the Old Testament.

Again it has been supposed that the dietary laws were framed with the object of allegorically conveying certain truths, or of securing the practice of certain virtues; for it was held that, in themselves and in their literal sense, those laws are unworthy of God, disgraceful to His worshippers, and less rational and judicious than those of the heathens³. A few instances of this allegorical acceptance will suffice. Cloven-footed quadrupeds only must be eaten: this "is a symbol that we should act with *discernment* and *discretion*." In eating the flesh of animals that chew the cud, men are to *remember* their transitory life and human condition. The weasel, the mouse, and other mischievous or destructive animals are meant as a warning against inconsiderate rashness and thoughtlessness; the weasel has, besides, a peculiar significance — "it conceives with the ears and brings forth its young through the mouth"(!)⁴; therefore, it teaches

¹ See *infra*, and notes on XI. 1.

² Comp. *Midr. Rabb.* Gen. c. 44 init.; Lev. c. 13 init., *לֹא יִשְׁחָטוּ אֶת הַבְּהֵמָה לִפְנֵי הַיָּדָיִם*; comp. *Midr. Tanchum* Shemini 7 (p. 394 ed. Stettin); *Maim.* Mor. Nev. III. 26; *Talm.* Yom. 67^b; Berach. 5^a, 40^a; Sanh. 101^a; *Rashi* on Exod. XV. 26, Num. XIX. 2.

³ *Koran* VI. 147 ("we did them no injury, but they injured their own souls"); XVI. 115, 119.

⁴ *Origen*, Hom. VII. in Lev. c. 5; similarly Tertullian, Novatianus, Barnabas, Lactantius (*Instit.* IV. 17, *universa praecepta Judaicae legis ad exhibendam justitiam spectant, quo-*

niam per ambagem data sunt, ut per carnalium figuram spiritualia noscerentur), a. o.; comp. *Spencer*, *Legg.* Bitt. I. vii. *init.*, p. 115.

⁵ This monstrous fiction appears elsewhere also, e. g. *Ep. Barnab.* 10, "for this animal — the weasel — conceives with the mouth"; and *Aristot.* De Gener. Anim. III. 6; it is mentioned by Plutarch (*Is.* c. 74) with regard to the cat, to explain the veneration bestowed by the Egyptians upon that animal which they considered as "a type of the origin of speech, since the cat conceives through the ear and brings forth through the mouth"

that "those are wicked who, to injure others, embody in words what passes into their ears"⁶. The Hebrews, graciously selected to receive the Divine Law, and bound to practise justice and truth, ought to imitate the clean birds, which "live upon plants, and abstain from rapine", and not to act with violence or, relying upon their superior power, to oppress the weak. According to Philo, who naturally indulges in very elaborate analogies, Moses forbade "the most fleshy and fattest animals", because they tend to excite treacherous pleasure, and produce insatiable greed; the most tempting and most delicate creatures, in order to lead the Israelites to the exercise of virtue by frugality and abstinence; wild beasts, because a gentle meal is becoming the gentle soul; the carnivora, in order not to foster anger and ferocity; and, in fact, some kinds of each description of animal, in order "to take away, as it were, fuel from the fire, and to cause the extinction of appetite." Chewing the cud and parting the hoof are "symbols of instruction and of the most scientific learning"⁷; for man cannot acquire knowledge unless he revolve what he has learnt again and again in his mind, and retain it by the aid of memory; and he can aspire to wisdom only by a clear distinction between right and wrong. The fishes destitute either of fins or of scales, or of both, are pressed down by the current and unable to resist its force; while fishes provided with those organs can defy and effectually oppose the stream; the former are "emblems of a soul devoted to pleasure, the latter of a mind loving perseverance and temperance", the one leading to a perilous gulf, the other to heaven and immortality. The reptiles, lastly, "prefigure those who are devoted to their bellies", and are continually offering up tribute to their unappeasable appetites; the animals with many feet denote "the miserable slaves not of one single passion, but of all the passions"; while the clean reptiles that have springing feet express "the manners and habits of the rational soul which, so far from being dragged down by the weight of the body, springs up from the earth and all mean things, to the air and the periodical revolutions of the heavens"⁸. Nearly identical

(κατὰ τὸ οὗς ὀγευσόμεν, τῷ δὲ στόματι (κρούσεν); while the Talmud contends that the raven emits semen through the mouth (*Talm. Sanh.* 108^b רַבּוֹתֵי רֵיחַ, explained by Rashi רַבּוֹתֵי רֵיחַ; comp. *Midr. Tanch.* c. 12, fol. 21^a ed. Stett.

⁶ *Aris'cas*, in Frankel's *Monats-schrift* 1858, pp. 250, 281—283.

⁷ Σύμβολα διδασκαλίας καὶ μαθήσεως ἐπιστημονικωτάτης.

⁸ See *Philo*, De Concup. cc. 4—9; and De Migrat. Abrah. c. 12; de Agricult. c. 30; comp. also *Joseph*, De Maccab. c. 5, σωφροσύνην τε γὰρ ἡμᾶς ἐκδιδίδασκει, ὥστε πᾶσιν τῶν ἡδονῶν καὶ ἐπιθυμιῶν κρατεῖν, καὶ ἀνδραγαθὲν ἐξασκεῖν καί.

with these explanations are the conceits of Origen. "From the food", he declares, "which is mentioned as a shadow, we must ascend to that which, through the spirit, is true food"¹; he "ruminates" who is intent upon knowledge, and meditates on the word of God day and night², and he is wise who regulates his actions upon "the distinction" between this and the future world; those placed in the sea of life must strive not to remain in the depth of the water, as the fishes without fins do, and they must ever be ready to lay off their old habits, like fishes with scales; while the birds of prey "point to those who eagerly look forward to the death of others, and artfully or fraudulently forge wills"³! Maimonides, interpreting not more happily or profoundly, believes that the dietary regulations are intended "to check the greedy who are bent upon dainties, and to prevent men from looking upon luxurious eating and drinking as the end of their lives"⁴; he goes so far as to assert that the laws of prohibited food, like most other ceremonials and even many moral precepts, are meant to provide excessive exercises for the discipline of the heart and mind, in order to lead man, by the practice of extremes, more safely to the mean road of moderation and temperance⁵ — a pernicious principle which robs the laws of all intrinsic significance, and transforms them into mere instruments or "medical cures" serving extraneous ends: though such a view was natural in a Jewish scholar of the middle ages, imbued with Aristotelic tenets, it ought not to be forced upon the old Hebrew legislators, in whose eyes the ceremonies had meaning and truth for their own sakes, and who, therefore, declared them to be eternal and immutable, and strove with their utmost energy thoroughly to amalgamate them with the main ideas of their religious system⁶. Nor have even recent writers refrained from typical subtleties. One avers that all unclean animals "bear upon them the stamp of sin, death, and corruption", which pervade alike mankind and nature, though he abandons the hope of ever being able to point out these ominous signs in

¹ De cibis qui per umbram dicuntur, adscendamus ad eos qui per spiritum veri sunt cibi; Homil. VII. in Levit. c. 4 (edit. de la Rue et Lommatzsch vol. IX. p. 300); comp. 1 Cor. X. 3, 4; Col. II. 16, 17.

² Comp. Josh. I. 8; Ps. I. 2; CXIX. *passim*; etc.

³ L. c. cc. 4—8, pp. 300—312; see also Selecta in Levit. *ibid.* pp. 166, 167. — Lactantius sees in the prohi-

bition of pork a warning to men "ne vitam porcorum imitarentur, qui ad solam mortem nutriuntur" (Instit. IV. 17); and Clemens Alexandrin. observes with regard to the hare, τὴν κάλυψιν τῆς ἰδεῖας τοῦ λαγῶ παιδευασίας ἐμφαίνειν ἀποτροπὴν (Paed. II. p. 188).

⁴ Maim. Mor. Nev. III. 35.

⁵ Shemon. Perak. c. 4, to which he refers in Mor. Nev. I. c.

⁶ Comp. also Comm. on Lev. I. p. 56.

each individual animal, because "man's degeneracy" or his "ungodly and unnatural civilisation" has vitiated and darkened his "Divine consciousness", and has "blunted his natural aversions"⁷. Another alludes to "the thoughtful chewing of the cud" as an emblem of reflection, and to "the coarse and insolent one-hoofed foot"⁸. One calls the unclean animals the "images of sin", by shunning which men were to be educated to shun sin itself⁹; and another, supposing the forbidden animals to represent the heathen, the clean ones Israel, urges that the distinction between both must appear in "their spiritual life or ways" and "their spiritual food", the one typified by the cloven foot, the other by the chewing of the cud¹⁰! These and similar singularities which it would be unprofitable to quote at greater length, share the usual defects of all allegorical and moralising interpretations¹¹.

Then the question recurs — Why were certain animals set down in the Pentateuch as clean, others as unclean? Very little is gained for the real explanation of the problem by assuming, that the Hebrews, influenced by their eastern neighbours, or arriving of themselves at the same ideas, declared the creatures of the good deity Ormuzd as lawful, and prohibited those of the evil god Ahriman as obnoxious¹²; for it would still remain to be accounted for, *why* the Parsees were led to trace certain creatures to the empire of Ormuzd,

⁷ *Keil*, *Archaeologie*, II. 19—21; *Comm. on Lev.* pp. 83, 84; comp. *Leyrer* in *Herzog's Real-Enc.* XIV. 597, 598, 610, 613.

⁸ *Baumgarten*, *Theolog. Comm.* II. 155, comp. p. 154.

⁹ *Gerlach* on *Lev.* XI. pp. 404, 408 on ver. 46.

¹⁰ *Kurtz*, *Opfercultus*, pp. 9—12, 58, strangely supporting his view by *Lev.* XX. 24—26.

¹¹ See *Comm. on Lev.* I. pp. 142 *sqq.*; *Epist. Barnab.* 10 ("thou shalt not associate with men who resemble ungrateful pigs or rapacious birds, or the accursed fishes that live in darkness; thou shalt not be incestuous and debauched like the hare, nor adulterous like the hyena, nor of unclean mouth like the weasel" — see *supra* — etc.); *Clem. Alex. Paedag.* II. p. 149 (ὁ δὲ Μωσῆς αἰτίας προσαπένει

κακρῶν μέν τας πνευματικὰς καὶ τὰς); *Strom.* VII. p. 718 ed. Sylb.; *Theodoret. Quæst.* XI ad *Lev.* (quod piscibus est squama, hoc hominibus est fides, etc.); *Bechai* on *Lev.* XI fol. 27^b (the permitted birds are to teach us, "that God hates wickedness and cruelty, and loves kindness and humanity"; or the camel, the hyrax, the hare, and the pig represent the four empires which successively enslaved Israel, etc.); also *Bochart*, *Hieroz.* I. p. 699 (natura sua porcus tam mundus erat quam agnus, sed significatio fuit diversa); *Spencer*, *Legg. Ritt.* I. vii. pp. 115 *sqq.*; *Michaelis*, *Typ. Gottesgel.* § 34; *Knobel*, *Lev.* pp. 441, 442.

¹² Comp. *Rhode*, *Heil. Sage der Baktrer etc.* pp. 214—228, 422; *Bleek* in *Stud. und Krit.* 1831, pp. 498, 499; *Bohlen*, *Genes.* pp. 88, 89; *De Wette*, *Archaeol.* § 188.

and others to the dominion of Ahriman. But even if this could be proved in every individual instance, we should not be aided in our enquiry, from the simple fact, often carelessly ignored¹, that the clean and unclean animals of the Hebrews do not coincide with those of the Parsees. This will be evident from a brief survey of the ordinances contained on the subject in the *Bundehesh*; we shall confine ourselves to plain facts, and pass over all speculations².

When the primitive bull died, Ormuzd formed of his purified semen first two animals of the same kind, one male and one female, and out of these he created a couple of every other clean species, and placed them in Iran-vedj, where they multiplied and spread — first the goat and ram, then the camel and ox, and afterwards the horse and the ass, which animals were brought forth “for the use of the pure”; in the next place, the hart and the roe-buck, birds (among which are specified the eagle and the crow, the owl and the raven), fishes and other aquatic animals³, the dog⁴ and the civet-cat⁵, and ten kinds of rats white from head to tail⁶; and it is maintained that all these creatures were produced in so many distinct varieties that they finally amounted to 282 species; for instance, the goat and ram comprised 5 species each, one of which is the unicorn, the bull 15, the dog 10 species, as beaver, fox, and weasel, glutton, hedgehog⁷, and musc-deer, sable-marten, ermine, and others of the same class. Now, in examining these animals held pure by the Parsees, we find that a very considerable number of them are unclean according to the Pentateuch, as the camel, the horse, and the ass, the eagle and crow, the dog and the civet-cat, the beaver, the fox, and the rat, the weasel and the like, the birds of prey and the fishes without fins and scales. Even the pig, though feeding on *kharfesters* or detested creatures of Ahriman, could be rendered a clean animal if it was prevented from eating impure things during one year, when its flesh became lawful food⁸. The Parsees may, from their point of view, have had good reasons for their classification; they were in-

¹ *Rhode* l. c.; *Bohlen* l. c.

² *Comp. Anquetil du Perrou, Zend-Avesta*, II. ch. 14, pp. 371—376; also *Rhode*, l. c. pp. 528—531; *Sommer*, *Biblische Abhandlungen*, I. 197, 198.

³ The statement of Plutarch, therefore, that the Persians counted all aquatic animals (ἰχθύες) among the creations of Ahriman (*De Is. et Os. c. 46 fin.*), is erroneous.

⁴ *Comp. Plut. l. c.*; also *Khorda-Avesta* XLV.17 (*Spiegel* p. 212), where the dog is mentioned as a creature of Ormuzd, side by side with the stars, the sun, and the moon.

⁵ *Mehka ferokeh*.

⁶ *Spiegel*, *Avesta*, II. 229.

⁷ *Comp. Plut. l. c. γαρφαίους ἑχένορας*.

⁸ *Comp. Vendidad* VII. 189 sqq.; *Spiegel*, *Avesta*, II. p. XLIII.

duced to attribute animals so useful as the camel, the horse, and the ass, to the god of light; they believed that, at his request, Airyaman, the protector of health, in order to counteract the scourges and diseases sent by the serpent Ahriman (or Agramainyus), created nine species of male horses and nine of male camels, besides as many of oxen and sheep⁹; they regarded with veneration the green wood-pecker, which largely destroys locusts; the white falcon, because it was supposed to kill serpents with its wings, and the wild bull and wild ass, which devour reptiles; the weasel, bent upon lizards, and attacking them successfully; the hedge-hog, since it is dangerous to the corn-consuming ants¹⁰; and even the rapacious and destructive fox, because it annihilates voracious insects by a curious peculiarity¹¹. But the Hebrews were not guided by any such considerations; they did not acknowledge the maxim that "every pure animal, whether beast of the forest, or bird, or fish, is at war with a particular *kharfester*"; they were strangers to the doctrine that the principle of darkness produces poisonous plants and bloodthirsty or venomous animals, destined to carry on an implacable and internecine struggle against the good and useful creations of the god of light¹²; they deemed it, therefore, no necessary part of a pious life "to kill noxious beasts to their utmost power"¹³. Though long familiar with the worship of Apis and other forms of Egyptian idolatry, there is no trace of their teachers ever having acknowledged the independent power of Typhon or the existence of a Typhonic creation¹⁴, though in later periods, the people inclined towards similar views¹⁵. They must have been aware that, in Egypt, reverence was shown to certain kinds of serpents¹⁶, to the cat¹⁷, the dog¹⁸, the shrew-mouse¹⁹, and

⁹ *Vendid.* XXII. 53—58.

¹⁰ Comp. *Bundehesh* c. 19; *Rhode* l. c. p. 532.

¹¹ *Anquetil du Perron* l. c., "Deux de ces espèces urinent dans les trous, l'une le renard, l'autre la belette; le *zezeké*, qui a des épines au dos, urine aussi et copieusement dans les trous des insectes."

¹² Comp. *Comm. on Gen.* pp. 87, 88; *Winer*, *Real-Wört.* II. 491.

¹³ Comp. *Herod.* I. 140 (ἀγνίσματα τοῦτο μέγα ποιεῦνται — οἱ Μάγοι — κτείνοντες ὁμοίως μύρμηκας τε καὶ δρεῖς κτλ.); *Plut.* Is. c. 46 (διὸ καὶ τὸν κτείνοντα πλείστους εὐδαιμονίζουσιν); *Meiners*, *Gesch. der Relig.* I. 231—233; *Spiegel*, *Avesta*, II. p. CXVII.

¹⁴ Comp. also *Jablonski*, *Panth. Aeg.* III. 67 *sqq.*; *Hengstenberg*, *Die Bücher Moses*, pp. 190—193. It is not surprising to find that Ghillany (*Menschenopfer* p. 465) declares the Hebrews to have abhorred the pig and the ass as Typhonic animals, and to have from them deduced the criteria for all unclean creatures.

¹⁵ See the *Treatise* before chap. XVI, on Angels and Spirits, sect. 2.

¹⁶ *Acl.* Nat. An. X. 31, ἑτέρουσιν δαπίδα; *Herod.* II. 74; *Plut.* Is. c. 74.

¹⁷ *Her.* II. 66, 67; *Plut.* Is. c. 74; *Strab.* XVII. i. 40, p. 812; *Athen.* VII. 55.

¹⁸ *Herod.* l. c.; *Strab.* l. c.; *Plut.* Is. 11, 44, 75; *Acl.* N. A. XI. 20; *Athen.* l. c.

¹⁹ *Μυγαλῆ*, *Athen.* l. c.

the beetle¹, because these creatures were considered to reflect "dark images of the power of the gods, as the drop of water reflects the sun"²; and they must have known that homage was paid to the ichneumon, which destroys crocodiles and their eggs³, to the ibis, since it kills greedy worms⁴, and to the stork, because it is fatal to young snakes⁵: yet, though they may have been disposed to acknowledge the utility of these animals, they were never tempted to raise them into divinities. Though forbidden to cut down or to injure fruit-trees even in a hostile country⁶, they never invested trees or any other vegetable production with inviolable sanctity; they did not imitate the Egyptians who considered the onion, leek, and garlic so holy⁷ that they often invoked them as deities in taking oaths⁸; nor did they, on the other hand, share the prejudices of the Hindoos, who were taught by their religious laws, that "the twice-born man who intentionally eat a mushroom, . . . a leek, an onion, or garlic, is immediately degraded", while partaking of these vegetables undesignedly requires atonement by rigorous penance⁹. They were free from the irrational dislike of both Egyptians and Pythagoreans against several kinds of pulse, among which beans were deemed too unclean to be even looked upon by priests, for futile reasons such as these: — beans are all seed; if skinned when still green, they resemble the male member, or the gates of hell, being without parts; if cooked, and allowed to stand exposed to moonshine for a certain number of nights, they turn to blood; their flowers seem to exhibit the letters of mourning, namely, the two black spots on the outer wings; like other pulses, they are used for funeral repasts and offerings to the dead; they excite amorous desires, are flatulent, and produce an excess of humours, necessitating constant purging; hence they render sleep disturbed and fitful, and are unfavourable for philosophic meditation and prophetic dreams¹⁰; the intensely strong smell which the Egyp-

¹ Κένταυρος, *Plut. Is. c. 74*; *Horapoll. I. 10*.

² *Plut. I. c.*

³ *Strabo XVII. l. 39*; *Ael. Nat. An. X. 47*.

⁴ *Herod. II. 67*; *Plut. Is. c. 75*; *Strabo XVII. l. 40*; *Athen. I. c.*; *Amm. Marc. XXII. xv. 25*.

⁵ *Plut. Is. c. 74*. In Thessaly, the killing of a stork was punished with exile; in Lemnos, the jack-daw (αἰ-
πυδῶν, græculus) was similarly pro-
tected, because it flies to meet the

locusts and kills them in great num-
bers (*Plut. I. c.*; *Plin. XI. 29* or 35);
comp. also *Minuc. Felix c. 28* (§§ 8, 9)
ed. Halm.

⁶ *Deut. XX. 19*.

⁷ *Comp. Plut. Is. 8*; *Juv. XV. 9*.

⁸ *Plin. XIX. 6* or 32.

⁹ *Manu V. 19—21*; comp. also 6—10;
Yājñav. I. 171. According to Dubois
(*Mœurs des Indes, I. 258*), the Hin-
doos reject all vegetables the root or
head of which is round.

¹⁰ *Comp. Jamblich. Pythag. c. XXIV*

tian beans exhale when in flower, was deemed injurious to health¹¹; and they serve as a warning against courting public offices, since in Athens they were used at the election of magistrates! It should, however, be remembered that beans were freely eaten not only by the Hebrews, the Greeks, the Romans, and by most eastern nations¹², but according to some ancient authorities, by Pythagoras himself, who is said to have partaken of no vegetable more frequently, since he considered beans light food and conducive to digestion, and who, in interdicting *κνέμους*, intended to forbid, not beans, but lasciviousness and intemperance¹³: it seems, therefore, to be an unfounded legend invented at a later time, that he and many of his followers were killed in Crotona, because, when flying from their pursuers, they shrank from crossing a bean field that lay in their way¹⁴. The Hebrews could not fall into the errors of the old Germans, who honoured the thunder-oak in connection with the worship of Thor or Donar, nor into those of the Gauls, who, as is well known, paid reverence to the mistletoe, which, when cut with a golden sickle by a white-robed priest, after having sacrificed two white bulls, was regarded as a remedy for barrenness and an antidote against all poisons¹⁵: for the Hebrews did not, like the Pythagoreans and many others, look upon plants as animated beings "partaking of the principle of heat"¹⁶, nor did they adopt the less popular doctrine that the souls of men "pass not only into animals, but also into plants"¹⁷. If they declared the ass an unclean animal, as

(§§ 106, 107), "Pyth. disapproved in general of all food that is flatulent or difficult of digestion, injurious to purity of the soul, chastity, and soberness," etc.

¹¹ *De Pauw*, Recherches sur les Egyptiens et les Chinois. pp. 124, 125; comp. *Galen*. l. c. c. 20; *Mishn. Shabb.* IX. 7; *Sheviith* II. 9 (עשרה ב'ע).

¹² Comp. 2Sam. XVII. 28; Ezek. IV. 9; *Plin.* XVIII. 12 or 30 (inter quae — sc. legumina — maximus honos fabae, quippe ex qua temptatus sit etiam panis; . . . frumento etiam miscetur apud plerasque gentis etc.); *Hor. Sat.* II. iii. 182; *Strabo* XVII. ii. 4, p. 823; *Hotting.* Hist. Orient. p. 186, with respect to the Zabii, ex germinibus nihil nisi faba et allium conceditur.

¹³ *Κνέμους*; testiculos significare . . .

quod sint et c. τὸ κνέμιν δεινὸν καὶ αἰτίον τοῦ κνέμιν; *Gell.* IV. xi. 10.

¹⁴ *Herod.* II. 37; *Plut.* Quaest. Rom. 95; *Symp.* VIII. viii. 2; *Diod. Sic.* I. 89; *Diog. Laert.* VIII. 19, 24, 33, 34, 39, 45; *Lucian.* Vitar. Auct. 6; *Ael.* Var. Hist. II. 24; *Porph.* Abst. IV. 6; *Jamblich.* Pythag. c. XXIV (109); *Cic.* De Divin. I. 30; II. 119; *Gell.* IV. xi. 3; X. xv. 12; *Juven.* XV. 174; *Plin.* XVIII. 12 or 30; *Festus* s. faba; *Galen.* De Aliment. Fac. I. 19.

¹⁵ *Plin.* XVI. 44 or 95.

¹⁶ *Diog. Laert.* VIII. 28, διὸ καὶ τὰ φυτόν ζῷα εἰναι.

¹⁷ *Diog. Laert.* l. c. 4. "Die Talapoinen dehnien das Gebot: tödte und verletze nicht, über Pflanzen und den Saamen oder die Keime von Pflanzen aus, . . . weil sie glauben, dass alles was lebe auch besetzt sei" etc.

the later Mahommedans also did¹, they were not prompted to do so by the similarity of its colour to that of the fabled demon²; they commonly employed the ass as a beast of burden, and in times of urgent distress did not scruple to eat its flesh³; indeed in earlier periods, and certainly in the time of the Judges, the ass seems, together with the ox and the sheep, to have been their ordinary animal food⁴, just as it was eaten in Persia⁵, and in some neighbouring districts, where it was even sacrificed to the god of war⁶, in northern Africa⁷, in Greece, in Italy, especially by the poorer classes⁸, and in Rome, where at the time of Augustus young asses were considered particularly palatable⁹; though Galen maintains that asses' flesh, notorious for bad humours and difficult to cook, is injurious to the stomach and tough to the taste, and he denounces those who eat it with almost vehement irony¹⁰. And when, after the Babylonian exile, the Jews became familiar with the dualism of the Persians, their leaders opposed it with the clearest and strongest emphasis. "I am the Lord, and there is none else", wrote the second Isaiah, "I form the light and create darkness; I make peace and create evil; I the Lord do all these things"¹¹; they did not shrink from tracing to God evil and darkness also, because they were convinced that, under His care and direction, the evil produces blessings, and darkness serves beneficent ends¹².

(*Meiners*, Geschichte der Religionen, I. 215):

¹ See *Weil*, Mohammed der Prophet, p. 188; comp. *Rückert*, Erbaul. und Beschaul. II. 31, "Wenn ihr hört einen Esel schreien, Er hat gesehen böse Feien; bittet Gott, dass er euch behüte."

² *נֶחֱשֶׁת*, from *נֶחֱשֶׁת* to be red, the red-dish animal; comp. also *Sonnini*, Voyage, II. 361, 362.

³ 2 Ki. VI. 25; comp. *Plut.* Vit. Artox. 24.

⁴ See Judges VI. 4.

⁵ *Herod.* I. 133.

⁶ *Strabo* XV. II. 14, p. 727.

⁷ *Galen.* De Alim. Facult. I. 2.

⁸ *Apuleius*, *Metam.* VII. p. 349 ed. Nisard.

⁹ *Plin.* VIII. 43 or 68.

¹⁰ L. c.; comp. *supra* p. 56 note 8. It is difficult to account for the ludicrous assertion of many heathen

writers who attribute to the Jews a religious reverence for the ass (*Tac.* Hist. V. 3; *Plut.* Is. 30, 31, 51; *Sympos.* IV. v. 2; *Diod. Sic.* XXXIV. 1; *Joseph.* C. Ap. II. 7; *Flor.* III. 5), unless it was believed that the Jews must honour the animal detested by their enemies, the Egyptians: to trace it to a confused reminiscence of Gen. XXXVI. 24 is highly improbable. It is not a little curious that the same reproach was made to the Christians at least down to the third century; comp. *Minuc. Felix*, Octav. c. 28 (§ 7), ed. Halm, inde est (viz. from the false rumours of demons) quod audire te dicis, caput asini rem nobis esse divinam; quis tam stultus ut hoc colat? quis stultior ut hoc coli credat? etc.

¹¹ *Isai.* XLV. 6, 7; comp. LIV. 16; see also *infra* "Angels and Spirits" ch. 2 *sub fin.*

¹² Comp., however, *infra sub fin.*

Our conclusion, therefore, is that the principles of division with respect to clean and unclean animals were markedly different among the Israelites and among the Parsees or other nations. Yet they offer points of resemblance which are of the highest interest, and throw a welcome light upon the Hebrew ordinances. The Zend-Avesta distinguishes quadrupeds with cloven feet, with undivided feet or hoofs, and with five claws, all of which belong to the clean species¹³. The highest Hindoo castes or "the twice-born" were by the law of Manu forbidden to taste the flesh or milk of "quadrupeds with uncloven hoof"¹⁴, the flesh of all "solitary animals, of unknown beasts or birds", and of "creatures with five claws", from which prohibitions, however, the hedgehog and porcupine, the tortoise, the rabbit, and the hare were excepted¹⁵. They were strictly to abstain from all fishes that have no scales¹⁶. According to later accounts, the Egyptian priests shunned all quadrupeds having "uncloven hoofs" or "many claws" or having "no horns"¹⁷, cows, and all male animals if twins or spotted, many-coloured, deformed, or one-eyed, or tamed by labour¹⁸, and all carnivorous birds: which criteria include the greater part of those set forth in the Hebrew law¹⁹. The Koran attempts no distinct principles on the subject; but it seems to be a general rule among Mahommedans to abstain from any animal that feeds upon human flesh, or that attacks men²⁰. According to Cassius Hemina quoted by Pliny²¹, Numa, desirous of checking prodigal expense²², ordained that "fishes without scales" which were bought up by speculators and sold by them at exorbitant prices, should not be offered up as sacrifices to the gods²³. As ruminants, with the exception of the camel, appear to have, though they have not

¹³ La première espèce a le pied fendu, . . . la seconde espèce est au pied d'âne, non fendu, . . . la troisième espèce est à cinq griffes" (*Ant. du Perrou* l. c.).

¹⁴ *Manu* V. 8, 11.

¹⁵ *Manu* V. 17, 18; *Jāyav.* l. 177.

¹⁶ *Sas alca*, *Manu* V. 16; comp. *Munk*, *Réflexions*, p. 61; Jones leaves *sas alca* untranslated.

¹⁷ Μένονχα ἢ πολυσχιδῆ ἢ μὴ χειρᾶ φόρα.

¹⁸ Τῶν δ' ἀρρένων δὲα δίδυμα ἢ χαιτέπικα ἢ ἑτερόχροα ἢ παραλλάσσοντα τῇ μορφῇ ἢ δεσµασµένα . . . ἢ ἑτερόφθαλμα κτλ.

¹⁹ *Porph.* *Abst.* II. 11; IV. 7; comp.

Spencer Legg. Ritt. I. vii. 2, p. 124; *Sommer, Bibl. Abhandl.* I. 284 sqq.

²⁰ Comp. *Nebukhr*, *Beschr. von Arab.* p. 178.

²¹ *Hist. Nat.* XXXII. 2 or 10.

²² *Parsimoniam* commentus.

²³ Numa constituit ut piscis qui squamosi non essent ni polluerent . . . ni quid ad polluctum emerent pretio minus parcerent eaque praemerarentur; comp. also *Festus* sub pollucere — "piscos quibus est squama, praeter scarum", which is a sea fish, probably a species of wrasse once in great favour among the Romans (Comp. *Plin.* IX. 17 or 29; *Hor. Sat.* II. ii. 22; *Mart.* XIII. 84; etc.

in reality, only one row of teeth, all of which seem to be in the lower jaw; this illusory characteristic was frequently employed as a criterion. It was so used by the Talmud, which proposed the rule, that "whatever animal chews the cud, is sure to have no upper teeth, and is therefore clean"; by the Hindoo law, which permitted "all quadrupeds that have but one row of teeth, except the camel"; by Greek naturalists, who taught, that "whatever animal has horns³, has certainly not two rows of teeth"; and by the Zabii, who were forbidden to eat the flesh of the camel and of "all quadrupeds that have teeth in both jaws, as the pig, the dog, and the ass": but the fact is that the ruminants, with the exception of the camel, have no *incisor* teeth in the upper jaws, the hardened gums sustaining the pressure of the lower incisors.

It is, therefore, clear that most ancient nations chose as chief criteria of quadrupeds, the structure of the foot and the stomach; as those of fishes, the presence or absence of scales; and of birds, the nature of their food; but that the Hebrews, though remaining within the general circle of current conceptions, worked out with independence a systematic division not unskillfully adapted to their established practice; whether, as is not impossible, the rigorous application of rules so decided and so formal did not inevitably exclude animals previously employed as food, we are unable to determine.

Hence the distinction between clean and unclean animals originated among the Israelites by no means in the desire of separating themselves from idolatrous nations⁴, and thus preventing religious and moral corruption, nor in the wish to establish another external difference between themselves and the heathens.

¹ Chullin 59^a, כל שחטוהו בלא שני טורי שנים רבי; comp. *Maim.* De Cib. Vet. I. 3.

² *Maim.* V. 18. The legislator hardly meant animals that have *incisors* in the lower jaw only (so *Munk*, *Réflexions*, p. 62); he evidently shared the common error of his time.

³ That is, the ruminants, see p. 57.

⁴ *Aristot.* Hist. An. II. iii. 8, δεα μὲν γὰρ ἐστὶ κεραιόπορα, οὐκ ἀμφέδοντα ἐστὶν, οὐ γὰρ ἔχει τοὺς προσθίους ὀδόντας ἐπὶ τῆς ἀνω σιαγόνης; De Part. An. III. ii. 7, διὸ τῶν κεραιόπορων οὐδὲν ἐστὶν ἀμφέδον, ἀνω γὰρ

οὐκ ἔχει τοὺς προσθίους ὀδόντας; comp. Hist. An. II. ii. 6; III. xvi. 6.

⁵ כל שחטוהו בלא שני טורי שנים רבי; comp. *Hottinger*, Hist. Orient. p. 186.

⁶ See *Aristeas*, in Frank. Monatschrift 1858, p. 249; comp. p. 281; *Warnkros*, Alterthümer, ch. XXX, § 21; *Hess* in Rosenmüller's Morgenland, II. 161, 162; *Rosenm.* Schol. ad Lev. XI. pp. 58, 59; *Brentano* on Levit. XI. 2, 45; but on the other hand, *Ewald*, Alterthümer, p. 205 note, "man verwechselt die Folge, welche allerdings die Speisegesetze immer mehr hervorbrachten, mit ihrem Ursprunge und ihrem ersten unbefangenen Sinne."

Entirely groundless, for instance, are views like these: "Moses forbade the Israelites to eat the camel, which up to his time had been considered clean, in order to isolate them from the Arabs, perhaps also to deter them from remaining in Arabia or settling there, at any later period, through love of nomadic cattle-breeding"⁷; or "God intended to enjoin upon the Hebrews the dietary laws as something peculiar, so that the holy people might be distinguished from the profane nations no less by their food than by their worship"⁸. This latter remark is a fair specimen of the method, now happily obsolete among Biblical critics, of mechanically explaining precepts which ought to be understood by organic laws of nationality, or of intellectual and religious progress. It is vain to adduce in support of that view the words of a late Levitical legislator: "I am the Lord your God who have distinguished (חִבְדִּילְךָ) you from other nations; you shall therefore distinguish (חִבְדִּילְכֶם) between clean beasts and unclean, and between unclean fowls and clean, and you shall not make your souls abominable by beast or by fowl, or by any manner of living thing that creeps upon the ground, which I have distinguished (חִבְדִּילְךָ) for you as unclean"⁹. These words have a very different import; they do not refer to external separation or distinction from heathens; but connected as they are with laws of idolatry, incest, and unnatural depravity, they allude to a life of holiness and piety by which the Hebrews were to deserve and to justify the election by which they had been glorified through Divine grace. This is abund-

⁷ *Michael*. Mos. R. IV. § 204 (the following words, l. c. p. 141, seem almost like a *reductio in absurdum*: "If another neighbouring nation had held the same food unclean, Moses would probably have given quite different laws of diet": as if a people's food can be regulated mechanically by arbitrary prescription, and did not result from its habits, experience, and abodes); comp. also § 203 *passim* ("the most intimate friendships are concluded at tables" etc.), and his notes on Lev. XI; *Kitto* on Lev. XI. 2; Gen. XLIII. 32 ("the Egyptians cannot eat a meal with the Hebrews", etc.), and *Comm. in loc.*; *Herod.* II. 41, ἀνὴρ Αἰγύπτιος . . . οὐδὲ μαχαίρῃ ἀνδρὸς Ἑλλήνους χρεῖσται κτλ.; nay the Egyptian priests touched no food

or drink imported from a foreign country (*Porph.* Abst. IV. 7, comp. c. 6), though this rule was rather prompted by motives of frugality and by aversion to luxury (πολύς τις οὖτος τρυφῆς ἀπεκλείστο τόπος); comp. however, *De Pauw*, *Recherches*, I. 107.

⁸ *Spencer*, *Legg.* Bitt. I. VII. 1, comp. 2, "erat nempe rationi consonum, ut Judaei in ipsa quasi fronte Dei sui nomen gererent, et signo aliquo teste scirent omnes, se Deo sancto et peculiari nomina sua tradidisse"; and the artificial and frigid argument "singularis gentis Israeliticæ dignitas et excellentia postulavit ut cibo tantum peculiari et dignitatis alicujus speciem ferente pasceretur."

⁹ Lev. XX. 24, 25; comp. *Spencer* l. c. p. 121.

antly evident from the concluding sentence, "And you shall be holy unto Me, for I the Lord am holy, and I have distinguished you (אֶתְּכֶם) from other nations that you should be Mine"¹. Even the dietary rules of the Egyptian and Hindoo priesthood² were but partially designed to secure a rigid seclusion from other castes or nations³, and were particularly intended as a means and symbol of superior sanctity; but the corresponding ordinances of the Pentateuch were in no way calculated to serve the purpose of isolating the Hebrews; for they have numerous and important points of contact with those of heathen nations; the deep aversion against the pig which the Hebrews shared with many others, especially the Egyptians, Hindoos, and Arabians⁴, is alone sufficient to overthrow an opinion opposed to well-established facts.

Equally untenable is the assertion that the Hebrews were warned against certain creatures as unclean, in order to draw them away or to shield them from the dangers of animal worship. "Every beast is in some manner akin to a demon", observes Origen⁵; hence Moses declared all animals as impure from which the Egyptians and others took auguries, while he permitted nearly all the rest⁶; and this curious opinion is upheld by subsequent and even by recent writers⁷. It is not impossible that the unlimited dominion over all beasts which, after the creation, was emphatically bestowed upon men⁸, and to which, after the Deluge, was added a free permission to use all animals for food⁹, was designed to counteract the disgrace and absurdity of animal worship¹⁰: but the lists of the Pentateuch, on the one

¹ Lev. XX.26; comp. ver.7(εὐσεβείᾳ εὐσεβείᾳ), 8(εὐσεβείᾳ καὶ ἁγιότητι). Decidedly unjust, therefore, is the censure of Gramberg (Rel. Id. I. 366), that the author "puts forth an utterly formal and narrow notion of holiness", consisting "merely in a separation from other tribes, independently of all morality which is in no way concerned in the matter"; see *infra*.

² Comp. *Herod.* II. 37; *Plut.* Is. co. 7, 8; *Porph.* Abet. IV. 6, 7; etc.; *Manu* II. 52—57; IV. 62, 205—225; V. 5—56.

³ Comp. *Herod.* II. 79 (κατρίοις δὲ χρεώμενοι νόμοις, ἄλλον οὐδένα ἐπιπείνεται), 81 (Ἕλληνικοῖς δὲ νομαίοις φεύγουσι χρεῖσθαι . . . μηδ' ἄλλων μηδαμὲν μηδαμὲν ἀνθρώπων νομαίοις); see *supra* p. 71 note 7.

⁴ Comp. *infra*.

⁵ Contra Cels. IV. 93, pp. 225, 226 ed. Spencer.

⁶ Πάντα μὲν ἀκίθαρτα ἐφύγεν εἶναι τὰ νομιζόμενα . . . μαντικὰ καὶ; τοῖς οὖν τις εἶναι ἐκδοτὴν δαιμόνων εἶναι κοινωνία πρὸς ἕκαστον εἶδος ζώων.

⁷ Comp. *Theodoret.* Quæst. I in Levit.; *Lengerke*, Kanaan, I. 379, "Die Gesetze über reine und unreine Thiere führen auf vorangegangenen Naturdienst, welchem sie entgegenwirken wollen . . . und daraus erklären sich zum Theil die Speisegesetze."

⁸ Gen. I. 28.

⁹ Gen. IX. 2, 3.

¹⁰ See Comm. on Gen. pp. 216, 217.

hand, include animals that received divine honours among heathens, and were yet declared clean, as the bull¹¹, the sheep¹², and the goat¹³, since in Egypt there was hardly an animal that was not worshipped either by the whole or by a part of the country¹⁴; and on the other hand, they embrace some which, as the ass and the pig, were detested among pagans, and were yet pronounced unclean by the Hebrew legislators, as is proved by the slightest reference to the sacred animals of the Egyptians and other nations¹⁵.

The matter, then, may be thus rationally explained. Many classes and species of animals were entirely out of the question, and may at once be dismissed with a few passing remarks. Who would think of eating poisonous creatures, such as snakes, adders, and vipers? Yet some species are harmless, and are indeed commonly consumed by several tribes of northern Africa¹⁶, while some, as the boas, are dangerous not by their venom but by their enormous size and muscular and crushing strength. Nor would people look for sustenance to the infinite variety of insects, some beautiful, others repulsive, some troublesome or destructive, others innocuous or useful, though a number of these even have not been disdained as food by the Hebrews and other nations¹⁷; nor to the Worms (Annulata, Annelida), whether red or white, though in Phrygia, in the Pontus, and elsewhere, the white fat worms with dark heads, bred in putrid wood, were an expensive delicacy¹⁸; to the imperfect "radiata", inhabitants of the sea, with tuft-like appendages "radiating" round their mouth in horizontal rows, though some species (as the *holothuria edulis*) is esteemed as a dainty among the Chinese; or the still more undeveloped and rudimentary classes, the Entozoa, the Sea-nettles (Acalephae), and the plant-like Polyps, though even some kinds of the latter (as the actinia) are eatable.

¹¹ Apis: — *Herod.* II. 153; *Diod. Sic.* I. 84, 85; *Plut. Is.* c. 29; Mnevis: — *Diod. Sic.* I. c.; *Strabo* XVII. 1. 27, p. 805; the ox: — *Herod.* II. 41; *Strab.* XVII. 1. 47, p. 817; comp. *Ael. Nat. An.* XI. 40; also the cow: — *Strab.* XVII. 1. 35, p. 809; *Ael. Nat. An.* X. 27.

¹² *Herod.* II. 42; *Strab.* XVII. 1. 40, p. 812; comp. *Plut. Is.* c. 72; etc.

¹³ *Herod.* II. 42, 46; *Strab.* I. c.; *Diod. Sic.* I. 88.

¹⁴ Comp. *Herod.* II. 65; *Diod. Sic.* I. 83—90; see *Strab.* I. c.

¹⁵ Comp. *Parthey*, *Plut. über Isis*, I. 260 sqq.; *Uhlemann*, *Aegypt. Alterthumskunde*, II. 203—206; *Wilkinson*, *Ancient Egypt, passim*; *Braun*, *Naturgesch. der Sage*, II. pp. 474, 475.

¹⁶ Comp. *Calen. De Alim. Facult.* III. 3, *ἐχθρὰς τε καὶ τοὺς ἄλλους θφαις, ἕσα τε καὶ Αἰγυπτῶν καὶ ἄλλα τινὰ τῶν ἐθνῶν ἐσθίουσιν.*

¹⁷ See *infra*.

¹⁸ See *Brentano* on *Lev.* XI. 42.

Again, we may for our present purpose disregard the animals not found in Palestine and the neighbouring countries — the Quadrumana or ape-tribe, living in warmer regions, and like the peacocks imported by Solomon's fleet from Ophir as a foreign curiosity¹; the carnivorous "pouch" or kangaroo tribe (marsupalia), as the marsupial marten, and the opossums, most formidable enemies to poultry, yet occurring chiefly in America; the toothless species (Edentata), only found in tropical and subtropical regions, sluggish and stupid creatures with protruded maxillaries and long claws, as the singular "duck-billed quadruped" (*ornithorhynchus paradoxus*), the anteaters, the scaly armadillo, and the despised sloth (*bradypus*); most of the "thick-skinned animals" (*Pachydermata seu Multungula*) including the largest, if not the strongest, of all terrestrial animals, the sagacious elephant and the unwieldy hippopotamus, the unequal-toed tapir and the impervious rhinoceros, all of which are indigenous to Africa and the warmer districts of Asia, although the swine, valued by some, abhorred by others, belongs to the same order²; again, the wild species of the "one-hoofed" quadrupeds (*Solidungula*), the quagga, the dauv³, and the zebra, shunning the abodes, and defying the subjection, of man⁴, although the wild ass (*onager*)⁵ is by many tribes of eastern Asia preferred to any other game⁶; the wild Ruminants, as the American llama, the new-world vicugna, and the graceful giraffe, the fleet inhabitant of African deserts, the bison, the buffalo, and aurochs (*Bos urus*); the Seal-tribe (*Pinnipeda*), as the Arctic phocidae, the sea dog, the seal, and the formidable walrus (*trichechus rosmarus*) with its terrible tusks; and the huge Whale-tribe (*Cetacea*), mostly inhabiting the Northern and the Southern Ocean, comprising the most colossal animals in existence, the Greenland whale, up to 80 feet long and 60 tons in weight, with its dangerous fringes of horny fibres instead of teeth, and the spermaceti whale (*physiter*) attaining even a length of 100 feet, the rapacious narwhal and the dolphin, living, like the preceding, upon polyps, mollusks, and fishes, the herbivorous Arctic and Atlantic sea-cow, and the Indian mermaid; many of the "Swimming birds" (*Natatores*), as the polar-divers (*colymbidae*), the penguins of the Southern Atlantic and Pacific Oceans; and the similarly formed fishes of the tropical seas of the

¹ 1 Ki. X. 22; 2 Chr. IX. 21.

² See *infra*.

³ *Hippotigris Buchellii*; see *Brehm*, *Illustrirtes Thierl.* II. 375.

⁴ See *Comm. on Gen.* pp. 378, 379. *Plin.* VIII. 43, 44 or 68, 69.

⁵ Also called Kulan by the Tartars, or Gurkur; see *Brehm* l. c. p. 363.

⁶ *Comp. Martial.* XIII. Ep. 97, 100;

order Pectognathi, as the hedgehog fish, the thornback, and the unicorn fish, distending their bodies and then appearing like floating globes⁷.

The Hebrews, moreover, may be well supposed to have instinctively spared many birds which delighted them either by their beautiful plumage or their melodious voice (the Canores and Sylvidae), and which they deemed too harmless to be persecuted, especially those of the order Incessores, including the thrushes (merulidae) and the linnet, the fieldfare and the blackbird, the lark and nightingale, the hammer and ortelan, the red-breast and the wren, swifts and swallows, the finches and the sparrow, the cuckoo, the parrot, and the peacock; though many of these birds fell and fall a prey to Sybarites in all climes⁸. And lastly, some animals were probably left untouched, because, being more useful by their labour than by their death, it was deemed inexpedient to diminish them by untimely slaughter⁹; to this category we may count the horse and the camel, the ass and the mule, invaluable, if not indispensable, in the East both for agriculture, travel, and commerce, though even these animals were, as they still are, killed for food by various nations¹⁰, just as the ox, so serviceable to the husbandman, was eaten by the Hebrews and nearly every other people¹¹.

Now leaving all these creatures out of view, we may suppose that, at first, a natural aversion induced men to abstain from some animals which inspired them with disgust either by their appearance or their habits. It was probably for this reason of mere loathing that many avoided, nay abhorred, the dirty and mire-loving swine, which soon

⁷ On the Fauna of Palestine, which include some Indian and many Ethiopic types, especially among the mammalia, pointing to an early immigration, see Naturforscher, I. 282 sqq. (notes of a Lecture delivered by Tristram, in the Royal Society).

⁸ Comp. *Galen*. De Aliment. Facult. III. 19; *Celsus*, De Medic. II. 18.

⁹ See Comm. on Lev. I. 96, 97.

¹⁰ On the camel see *supra* p. 56, the ass p. 68; on the mule being eaten comp. *Joseph*. Antiq. XII. iii. 4; on the horse as food see *Joseph*. l. c.; *Herod.* I. 133 (the Persians); *Plut.* De Sollert. Anim. c. 2; Comm. on Lev. I. p. 89 notes 11, 12; also 2 Ki. XXIII.

11; *Herod.* I. 189; VII. 40; *Xen.* Cyrop. VIII. iii. 12; *Herodian.* V. 6; *Tacit.* Germ. c. 10; *Galen.* De Aliment. Facult. III. 2; *Justin.* I. 10; *Kleuker*, Zend Avesta, II. 264; *Boch.* Hieroz. I. ii. 10; *Meiners*, Gesch. der Relig. I. 224—226; it is eaten by some Mahomedan sects (comp. *Niebuhr*, Beschreib. v. Arab. p. 178), the Bedouins of southern Arabia (*Burckhardt*, Beduinen, p. 196), and there are, as is well known, at present many hippophagi in various parts of the continent.

¹¹ Comp. 1 Ki. XIX. 21; *see* ever, *supra* p. 68 note 10.

became the very type of uncleanness¹, and all Reptiles², which, though highly developed in their muscular system, are partly repulsive by the clammy sliminess of their bodies, and partly detestable on account of their lurking rapaciousness, and which include the only venomous animals, the serpents, laden by legend with the curse of eternal and deadly enmity against man, and not unnaturally identified with the principle of physical and moral evil, with disaster and sin³. Dislike, in fact, caused many to shun "every creeping thing that creeps upon the earth, whatsoever goes upon the belly, and whatsoever goes upon all four"⁴. Most people have, it is true, reconciled themselves to the turtle-tribe (Cheloniae), especially on account of the Edible Tortoise (chel. esculenta) dear to many — even to Hindoo priests⁵ — for the famous turtle-soup, if not on account of the giant tortoise (chel. mydas) yielding the beautiful tortoise-shell; some feast with zest on the hind legs of the green water-frog; while others justly delight in keeping the green tree-frog (hyla arborea) in their houses, and trust to it as a weather-prophet: yet who can be surprised that the Hebrews, supposing them even to have been acquainted with these animals and their qualities, were nevertheless disinclined to deviate from the general principle of viewing every reptile as "an abomination" (רע)"; that they prominently kept in view such species of the class as the predatory and gluttonous river-tortoise (aspidonectes); associated even with the most tempting frog the plump and sluggish, ugly and tuberculated toad equally offensive to sight and smell; and eagerly shunned every lizard-like animal that exhibits the slightest affinity to the terror-inspiring crocodile, though the people of Nubia and of Upper Egypt eat the crocodile⁷, and the Hindoos did not refrain from the alligator⁸?

Again, physical aversion no doubt prompted the Hebrews to keep aloof from most of the Invertebrate animals, endowed with organs so rudimentary and imperfect, that for a long time their very right to a place in the animal kingdom was disputed; for those creatures lack

¹ See *infra*.

² Reptilia, Amphibia.

³ See Comm. on Gen. pp. 117, 118; comp. *Bechai* on Lev. XI. fol. 29^a, "the serpent is the root of all uncleanness and dirt" (ממנו); *Talk. Chad.* 1^a, § 1, ed. Lemb. כר טהא נחש כל דבר המטיל בו חטא (i.e. menstruation, see on XV. 19—24).

⁴ Lev. XI. 41, 42, which words aptly describe the four principal divisions

of reptiles, the four-footed turtle (chelonii), the lizards (sauri) and frogs (batrachiae), and the footless serpents, though a few of the sauri and of the batrachiae have two or no feet.

⁵ *Manu* V. 18; *Tājnav.* I. 177.

⁶ Lev. XI. 41, 42.

⁷ *Burckhardt*, *Reisen in Nubien*, p. 57 (Germ. Transl.).

⁸ *Manu*, *Tājnav.* II. cc.

even the faculty of sensation which secures communion with the external world, some consisting merely of a series of soft alimentary canals or a stomach, others possessing sanguineous vessels and centres of nerves, while none are provided with the entire osseous, muscular, and nervous systems that distinguish the higher classes, and impart to them a variety of shape, beauty, motion, and intelligence; they were, moreover, for the most part, considered repulsive in several respects, for they include those myriad swarms of vermin which, however indispensable in the great chain of organic life, constantly prey on man's rest, his comfort, and his property, compel him to an unceasing warfare of offence and defence, and are hence in many Eastern cosmogonies described as productions of the sinister or destructive power in nature, of Ahriman or Typhon: among them are the predaceous and insidious spider, though at all times men have been found who ate spiders even with a relish^o; the louse, the flea, and the disgusting bug bred by uncleanness; the voracious caterpillar; the mischievous moth — the cloth- and fur-moth, and worse than all the corn-moth, often a pest in granaries; the fly in its endless varieties, harassing and tormenting, spoiling and destroying — the carrion-, chamber-, cherry-, stubble-, leaf-, fungus-, and horse-fly; the beetle tribe with their larvae or grubs doing incalculable injury to our corn vegetables, and trees, though we must acknowledge the medicinal utility of the poisonous Spanish fly (*lytta vesicatoria*); the hemiptera with their swarms of scale-insects; the plant-lice damaging to rose-trees and other shrubs, though one single species, the *coccus cacti* which feeds on the fig-cactus, serves the use of man by the charming carmine colour which it yields, the basis of scarlet; the angry wasp and the revengeful hornet with their numerous sub-tribes, among which, however, the cynips (*cynips quercus*), by stinging certain plants, produces the valued gall-nut, the chief substance of ink and black dyes; the gad- or bot-fly (*oestrus*), a plague to our cattle by the eggs which it deposits on their shoulders and backs, and thus indirectly introduces into their stomachs and intestines; the scorpion with its hollow sting inflicting wounds often mortal, always painful, and its poison-bladder; and the unnumbered hosts of Worms, some of which, as the common earth-worm (*lumbricus terrestris*), are injurious to the tender radicles of plants, though the leech has long stood in high repute as useful in numerous ailments. Hence the Hebrews rejected also the crustaceous or shelled animals, untempted by the

^o See *Brehm, Illustriertes Naturleben*, VI. pp. 567 sqq.

dainties of lobster and crab, of prawn and shrimp, counting them rather among the "creeping things with many feet" which they held in abomination (γνῆθ)¹, and coupling them with the troublesome and tormenting fish-parasites, the wood-louse tribe — the water-flea and the barnacle, the armed glomeris and the milliped. They even left untouched all Mollusks: these indeed, on account of their perfectly developed vital organs, have been justly compared with the trunk of the higher classes of animals deprived of head and limbs; in many cases they live in beautiful and finely convoluted shells, applicable to various useful and ornamental purposes, as the pearly and the paper nautilus, the large cowrie, the fiery oven, and the trumpet snail, and in other instances they yield an admirable purple-coloured juice formerly employed in dying the most costly stuffs², or they furnish precious pearls and the glittering mother-of-pearl, as the fresh-water and the marine pearl-mussel (*mya margaritifera*); yet they are hardly inviting as food on account of the soft and slimy mantle that covers most of them like a sack, whether they have a shell³, or not, as the slugs, and whether that shell is one entire piece, as in the snail, or consists of two parts, as in the mussels; they include such monsters as the great cuttle-fish (*octopus vulgaris*, the polypes of the ancients), which, possessing most formidable tentacula no less than twelve feet long, probably gave rise to the fiction of huge sea-monsters (Kraken) so frequently introduced in northern legends. Therefore it can well be understood, that many nations, and among them the Hebrews, remained insensible to the reputed delicacy and nutritiousness of the oyster, the edible snail (*helix pomatia*), the cockle, and the large class of conchifera⁴.

Next to physical dislike, a regard for health naturally guided the early generations in the selection of food; but just as it is impossible for us to measure the former by our present notions, so it would be uncertain to estimate the latter by our present knowledge and experience. In primitive and unscientific times, the one no doubt exercised no mean influence upon viewing the other; for that which is externally repulsive, unclean, or clammy, was commonly suspected as unwholesome and injurious⁵. Let us, instead of all other instances,

¹ Lev. XI. 42.

² See Comm. on Exod. pp. 486, 487.

³ Testacea or Conchylia.

⁴ Comp. *Galen*. De Aliment. Facult. III. 3, κοιλίας ὁσπόμεραι πάντες ἑλλήνες τισίουσιν; but he observes

with respect to mollusks in general (l. c. c. 35), σκληρόσαρα δ' ἐστὶ καὶ δύσπεπτα καὶ βραχὺν ἐν αὐτοῖς περιέχοντα τὸν ἀλυσκὸν χυμὸν.

⁵ Comp. *Rashbam* on Lev. XI. 3, the forbidden animals "are disgust-

consider the case of the *Swine*, highly instructive in more than one respect: we shall here at once treat of the subject fully, in order to obviate the necessity of returning to it again, though by so doing we may seem to interrupt our present enquiry.

The unclean habits of the swine struck the Hebrews so strongly, that they gave rise to the saying, "The snout of the pig resembles ambulant dirt"⁶; swine were considered as the fit habitations of "unclean spirits" or "devils", driven out of possessed persons⁷; a man wallowing in the last and most disgusting stage of drunkenness was compared with the swine⁸; Maimonides believed that "the principal reason why the Law held the pig in abomination, was because this animal is the filthiest of all and feeds on the filthiest refuse", and he added with pardonable exaggeration, that it would have been a strange anomaly if the Hebrews, upon whom the most scrupulous cleanliness was enjoined even with respect to their camp⁹, had been permitted to rear pigs, whereby "the streets of their towns, nay their very houses must become more foully offensive than privies, as is at present seen in the countries of the Franks"¹⁰. The Egyptians, it is well known, regarded the pig as hateful to sun and moon; they deemed it so singularly contaminating by its "uncleanness", "unholiness", and "all-devouring voracity, unsparing even of its own young and of men"¹¹, that any person who had accidentally touched a pig, was

ing, and injure and heat the body"; see also *Rosenm. Schol. ad Lev. XI. pp. 59, 60*, the legislator "iis maxime victus animalis generibus Israelitis interdixit, quae citiore corruptione vitiantur", etc.

⁶ *Talm. Berach. 25^a*, זי יחזיק בידו כחזיר; *ibid. 43^b*; comp. also 2 Pet. II. 22; *Maim. Mor. Nev. III. 48*.

⁷ Comp. *Matth. VIII. 28—32*; *Mark V. 2—13*; *Luke VIII. 27—36*.

⁸ *Yalkut Shimeoni c. 61, fol. 16^a*, חזיר ששילכלך בידו חזיר (in the well known legend taken from *Gen. 30. 32*, of the planting of the vine jointly by Noah and Satan).

⁹ Comp. *Deut. XXIII. 13—15*.

¹⁰ *Maim. Mor. Nev. III. 48*. According to Jewish writings, the image of the pig is derived from "the unclean spirit", i. e. Satan (חזיר הבל).

(חזיר הבל); comp. *Lactant. Institut. IV. 17*; *Arist. Hist. An. VIII. 8*; *Plin. VIII. 51 or 77*; *Ael. Nat. An. V. 45*; *Varro, B. B. II. 4*; *Colum. VII. 9, 10*; *Spencer, Legg. Ritt. I. p. 135*, "Porcus non tam immunus quam immundities ipsa videtur." The assertion of Porphyry (*Abst. I. 14*) that swine were unknown in Canaan and Phoenicia, is hazardous and unsupported, though they were not bred by the Hebrews, but by their heathen neighbours; comp. 1 Chr. XXVII. 29—31; *Matth. VIII. 30*; *Mark V. 13*; *Luke VIII. 32, 33*; *XV. 15*; and *Bochart, Hieroz. I. 696—698*.

¹¹ *Herod. II. 47*; ὁ δὲ ἄλγ. μαρὸν ἔγγεται θῆλον εἶναι; *Plut. Is. 8*, τῶν ὅν ἀνίσπον ἄων ἡγεῖνται; *Ael. Nat. An. X. 16*, ἐπύσσαν ἄλγ. τὸ ἄων ὡς ἀμαρῶν καὶ πάμπαν; comp. *Je-*

obliged instantly to plunge into the water, dressed as he was; swineherds, detested and disgraced, "though of pure Egyptian blood", were forbidden to enter any of the national temples, or to intermarry with any other class or caste; and the Egyptian priests and all those initiated in the mysteries rigidly abstained from pork, except on one solitary occasion which will presently be noticed¹. The same food was scrupulously shunned by the Ethiopians, who hardly ever kept swine²; by Libyan tribes, as the Barcaeans, who followed the Egyptians³; by the Comani in Pontus, who deemed it a pollution of their temples to admit a pig within the precincts of their towns⁴; by the Scythians, who "never sacrificed swine nor suffered them to be reared in their country at all"⁵; and the Galatians in Pessinus, who shrank from touching any part of the swine⁶. It was prohibited to the Zabii⁷; to the holier orders of the Hindoos, who abhorred it as much as human flesh⁸, and the more so as the latter and pork were considered almost perfectly alike in taste and smell⁹; and to the Parsees, because swine were believed to devour the impure creatures of the evil demon, or the *kharfesters*¹⁰. The same antipathy was shared by the Phoenicians¹¹, and the Syrians in Hierapolis, who regarded it as an abomination to eat or to sacrifice swine¹². From the temple of Hercules or Melkarth in Gades (Cadiz),

seph. c. Ap. II. 14; *Plut.* Symp. IV. v. 2, 3, εἰ δὲ δόσμορφον ἢ ὅς καὶ θολερὸν κτλ.; οὐδὲν γὰρ ἄλλο βορβόρω χαίρον οὕτω καὶ τόποις ῥυπαροῖς καὶ ἀκαθάρτοις ὀρώμεν; *Athen.* Deipnos. VII. 55.

¹ Comp. *Herod.*, *Plut.*, and *Acl.* II. cc. The mythical or cosmic reasons assigned for this aversion do not concern us here; comp. f. i. *Nork*, Vergleichende Mythologie, p. 19 ("Typhon frisst in Gestalt eines wilden Schweines dem Osiris die Zeugungstheile ab, d. h. der Winter hemmt die Vegetation").

² *Porph.* Abst. I. 14, οὐδὲ νῦν ἐν Αἰθιοπία φασὶν ὀπάσθαι τὸ ζῷον τοῦτο.

³ *Herod.* IV. 186.

⁴ *Strabo* XII. viii. 9, p. 575.

⁵ *Herod.* IV. 63.

⁶ *Paus.* VII. xvii. 5, though the connection of this custom with the life of Attes is mythical; comp. *Braun*, Naturgesch. der Sage, II. 111.

⁷ *Holling.* Hist. Or. p. 186.

⁸ *Manu* V. 14; *Acl.* Nat. An. XVI. 37, ὅν δὲ ἐν Ἰνδοῖς οὐ φασὶ γίνεσθαι, . . . μυστήτωνται δὲ καὶ ἐσθῆιν τοῦδε τοῦ ζώου κτλ.; though the statements of Aelian (l. c. III. 3), borrowed from Ctesias, that no swine were bred in India, is exaggerated (comp. *Arist.* Hist. An. VIII. 27, Κτησίας, οὐκ ἂν ἀζιόπιστος; *Philostr.* Apoll. II. 28).

⁹ *Galen.* De Alim. Fac. III. 2.

¹⁰ *Spiegel*, Avesta, II. p. XLIII; see, however, *infra*.

¹¹ *Herodian.* V. 6 (τούτων γὰρ — χοίρων — ἀπέχετο Φοινίκων νόμῳ); comp., however, *Lampridius*, Vit. Hellog. 21, 32 (exhibuit et sumina apruna; . . . alia die de porcis).

¹² *Lucian.* Syr. Dea c. 54, σῶας δὲ μοῖνας ἐναγίας νεμίζοντας οὕτως θύουσιν οὕτως εὐρίονται; comp. *Nicom. Cass.* LXXIX. 11; see, however, *infra*.

women and swine were excluded¹³. Pork was denounced as detestable by Mohammed¹⁴; it was and is still abhorred by the Druses¹⁵; by the Christian Copts, following probably the example of their Egyptian ancestors, though they eat the wild boar¹⁶; by the Arabs and Turks¹⁷; and most of the South American tribes¹⁸.

Now it is well known, that pork was consumed by many ancient nations, who acknowledged it as wholesome nourishment. The Greeks heard without surprise of Homer's divine swineherd¹⁹, although the transformation of Ulysses' friends into grovelling swine was to them equally intelligible. The Romans paid the utmost attention to the rearing of pigs²⁰; among them pork was employed medicinally for very numerous purposes²¹, it formed an important item in their ordinary diet²², and was in a variety of ways dressed, as a delicious dainty not only with care, but so expensively that sumptuary laws were enacted to check the extravagance²³. Galen²⁴ declared, as the result of long observation, that "of all victuals pork is the most nu-

¹³ *Sil. Ital.* Pun. III. 22, 23, Femineos prohibent gressus, ac limine curant Saetigeros arcere sues.

¹⁴ *Koran* II. 168; V. 4; VI. 146 ("for this is an abomination" وحس); XVI. 116.

¹⁵ *Seetzen*, Reisen, I. 102.

¹⁶ Comp. *Lane*, Mod. Egypt. III. 188; *Sonnini*, Voyage, III. 293, les Coptes ne s'en nourrissent jamais, non plus que les Mahométans, en sorte que rien n'est plus rare que cet animal dans le Sald.

¹⁷ Comp. *Plin.* VIII. 52 or 78, in Arabia suillum genus non vivit; *Sol.* c. 33 (suillis carnibus prorsus abstinent; sane hoc animalis genus, si in vectum illo fuerit, moritur illico); *Sozomen.* Hist. Eccl. VI. 38; *Hieron.* Adv. Jovinian. II. 7 *inil.* p. 334 ed. Valarsi; *Spencer*, Legg. Bitt. I. vii. 4, p. 132. The pig is, besides corpses and blood, the only object the touch of which the Bedouins consider unlawful (harâm); *Bursckh.* Beduinen, p. 80; *Sale*, *Koran*, Prelim. Disc. p. 91; *Lane*, Mod. Egypt. I. 131.

¹⁸ *Rosenm.* Morgenland, II. 170, 171.

¹⁹ Comp. *Hom.* Od. XIV. 80, 81,

ἐσθιε . . . χοίρει' ἀτὰρ σιδήλους γε σῶας μνηστῆρας; *ἔδουσιν*; see *Athen.* Deipn. IX. 17; *Porph.* Abst. I. 14; III. 20, ἡ δὲ ὕς φύσει γέγονε πρὸς τὸ σφαγῆναι καὶ καταβρωθῆναι; comp., however, *Bochart*, Hieroz. I. p. 707.

²⁰ *Varro* R. R. II. 4, suillum pecus donatum ab natura dicunt ad epulandum; *Lactant.* Institut. IV. 17.

²¹ Comp. *Plin.* XX. 13 or 51; XXI. 21 or 89; XXII. 25 or 69; XXVIII. 9 or 37; etc. etc.

²² Comp. *Galen.* l. c. II. 1, φαίνεται γούν τὰ τε χοίρεια κρέα . . . πολλὴν χρεῖαν τοῖς ἀνθρώποις παρεχόμενα; *Celsus*, De Medic. II. 18, inter domesticas quadrupedes levissima suilla est, gravissima bubula; see *Trusen*, Sitten, Gebräuche und Krankheiten der alten Hebräer, p. 31.

²³ *Plin.* VIII. 51 or 77, neque alio ex animali numerosior materia ganeae; quinquaginta prope saporibus, cum ceteris singuli; hinc censoriarum legum pagina etc.; *Athen.* III. 48, 49; IX. 19.

²⁴ L. c. III. 2, 19; see also *Porphyr.* Abst. I. 15.

tritious"¹ and he found, for instance, that gladiators and others engaged in athletic exercises visibly lost strength if, instead of pork, they took the same quantity of any other meat. Similar opinions were entertained among many tribes even in western Asia and northern Africa, by whom pork was not only deemed healthier than beef, mutton, and goose, but eminently suitable for invalids². Pork forms a staple food in China, where the pig is one of the chief victims sacrificed to the gods and to the manes of Confucius³. It is commonly eaten by the people of India⁴; it is permitted even to the Parsees, provided that due precautions are taken that the pig does not consume unclean creatures within a year of its slaughter⁵; and it is held lawful by the oriental Christians, who yet abstain from camel's flesh. The Jews had constantly to bear the taunting irony of other nations "because they do not eat the most eligible meat"⁶. Jewish writers themselves, as Philo and the physician Isaac ben Soleiman living in the tenth century, admit the excellence and nourishing qualities of pork⁷; and the most rigorous Talmudism, believing bacon to be a remedy against consumption and atrophy, allows it to Jews suffering from these and similar complaints.

Yet, on the other hand, it is a notorious fact that pork was, from early periods, shunned by many on account of its own or the pig's injurious properties. It was regarded with repugnance by the Egyptian priests, who contended, that "it engenders many superfluous humours"⁸. Maimonides declared that "pork is too juicy and too rich to be recommended as food", and he enlarged this observation into the general rule, that "all animals forbidden by the Law are un-

¹ Πάντων ἐδεσμάτων ἡ σὰρξ τῶν ὑἰῶν ἐστι τροφικωτάτη, ὡς τῶν ὑἰῶν τῆς σαρκὸς οὐδὲν ἄν ἄλλο τροφικώτερον ἔχοις εὐρεῖν.

² Comp. *Meiners*, *Gesch. der Relig.* I. pp. 230, 231; see *Maimon. Mor. Nev.* III. 48.

³ *De Pauw*, *Recherches*, pp. 169 sqq. etc.

⁴ *Bohlen*, *Alt. Ind.* II. 163.

⁵ Comp. *Spiegel* l. c.

⁶ *Phyl. Symp.* IV. iv. 4, comp. v. 1, ἐτι τὸ δικαιοτάτον κρέας οὗκ ἐσθίουσιν; comp. *Joseph. De Maccab.* c. 5, διὰ τί γὰρ τῆς φύσεως κεχαρισμένης καλλίστην τὴν τοῦδε τοῦ ζώου σαρκος

φαγίαν βδελύσσεται κτλ.; *Clem. Alex. Strom.* VII. p. 718 ed. Sylb.; *Artemidorus*, *Oneirocrit.* I. 72, ἀριστά κἀσι τὰ χοιρεῖα.

⁷ Comp. *Talm. Chull.* 17^a (... כֶּסֶם לֶבַע כֶּסֶם חֵזֶק, i. e. bacon); *Philo*, *De Concup.* c. 4, Op. II. 352 (Χερσαίων μιν οὖν τὸ ὄν γένος ἥδιστον ἀνωμολόγηται παρὰ τοῖς χρωμένοις); *Sprengel*, *Histoire de la Médecine*, trad. franç. de Jourdan, II. 323 ("il — Is. b. Sol — vante la chair de porc comme un aliment très-sain", in his work *Liber de dietis universalibus et particularibus* ed. Posthii, Basil. 1570).

⁸ *Phyl. Is.* c. 5, πολλὴν ποιοῦντα κερύττωσιν.

wholesome nutriment"⁹; whereas ruminants, because thoroughly masticating their food, and perfectly separating the good from the deleterious humours, yield healthful meat¹⁰. This view occurs in many anterior and subsequent writers, variously and often strangely modified¹¹. Pork was pronounced injurious not only to the health of the body, but to the vigour and clearness of mind¹². The swine, "by far the most brutish of all animals", was by some of the stoics considered as consisting merely of flesh, without any vestige of soul or of a higher power beyond the preserving principle of animal life¹³.

But the pig was brought into disrepute, not more by its habits, than by the cutaneous disorders to which it is unquestionably subject, especially in the East, and by which, as many believed, consumers of pork are certain to be affected. The Talmud remarks, "Ten measures of pestilential sickness were spread over the earth, and nine of them fell to the share of pigs"¹⁴. "Pork is detested", observes Plutarch, "because foreign nations generally abhor scab and leprosy, and even believe that these diseases destroy men by contagion; for under the belly the pig is full of leprosy and scabby eruptions¹⁵, which are supposed to appear on the surface in consequence of some internal taint or disorder"¹⁶. It suffices to refer with a passing allusion to the well-known assertion of Tacitus, that "the Jews abstain from pork on account of the loathsome affliction of leprosy, by which they were once disgraced, and to which the pig is liable"¹⁷. Even drinking the milk of the "unholy" swine was supposed to engender leprosy and scabby ulcers, "diseases utterly hateful to all Asiatics"¹⁸. An

⁹ *Maim. Mor. Nev.* III. 48; comp. *Rashb.* on Lev. XI. 3.

¹⁰ Comp. *Spencer, Legg. Ritt.* I. vii. 1, pp. 116, 117.

¹¹ Comp. *Clem. Alex. Strom.* II. p. 405 ed. Sylb., the richness of such meat as pork leads to luxury and intemperance (ὅσα φύσει κίονα . . . τρυφῇ τιῶσι γὰρ ἡ τοιαύτη χρησις χορηγεῖται).

¹² As beans were proscribed by the Pythagoreans because checking the buoyancy of thought; see *supra* p. 66.

¹³ *Plut. Symp.* V. x. 3, τὴν ὅν σάρκα πρέα γεγονέναι λέγουσι, τῇ ψυχῇ, ὥσπερ ἀλῶν, παρεσκαρμέντης ὑπὲρ τοῦ διαμένειν; *Porph. Abst.* III. 20, τῇ σαρκὶ τὴν ψυχὴν ὁ θεὸς οἶον ἄλλας ἐνέμειν; *Plin.* VIII. 51 or 77, animalium hoc maxime brutum, animamque ei

pro sale datam non inlepidè existimabatur; *Cic. Nat. Deor.* II. 64, cui quidem ne putresceret, animam ipsam pro sale datam dicit esse Chrysippus.

¹⁴ *Talm. Kiddush.* 49^b עשרה מין טומאה נפלה על פני האדמה וטומאה אחת נפלה על חזקת פני האדמה; comp. *Shabb.* 129 א"ר ר' יוחנן בשם ר' יוחנן ב"ר חזקיה, i. e. עשרה מין טומאה נפלה על פני האדמה, see Rashi in loc.

¹⁵ Πᾶσαν δὲ ὕν ὑπὸ τὴν γαστέρα λέπρας ἀνέπλεων καὶ ψωριτῶν ἐξανθημάτων ὀρώμεν.

¹⁶ *Plut. Symp.* IV. v. 3.

¹⁷ *Tac. Hist.* V. 4, sue se abstinent merito cladis, qua ipse scabies quondam turpaverat, cui id animal obnoxium; comp. *infra*, the conclusion of this treatise, esp. p. 111.

¹⁸ *Plut. Is.* c. 8, τῶν τὸ γάλα πινόντων ἐξανθεῖ τὰ σώματα λέπραν καὶ

observing traveller judiciously remarks, that the custom of abstaining from pork arose, no doubt, from hygienic rules indispensable under a burning sky: this will not be disputed, if it be remembered that the species of pigs found in hot climates, belongs to the swine of China, Siam, and India, rather than to those of Europe; these Chinese pigs, even if reared in our colder zones, furnish a flesh more delicate indeed than that of our common pigs, but much more charged with fat, thereby enfeebling the most robust constitutions, and producing indigestion and injurious acids which are doubly fatal in the East where the stomach is generally weakened by excessive heat. Moreover, the abundance of greese, which checks perspiration so freely engendered in hot countries, causes scabby diseases which are peculiar to the pig, and which under a broiling sun easily degenerate into leprosy¹.

Nor have modern science and experience been able to contradict the observations of former ages. For not only has the hurtful distemper of swine, freely bringing forth the tape-worm and long known under the name of "chalazae"², been found confirmed, but the existence of another and much more dangerous disease has been proved — the *trichinosis* or infection by trichinae³. Some years since it caused just uneasiness, if not consternation; in a few instances it grew into an epidemic, and appeared even endemic in certain districts⁴. The trichinae, which were probably brought to Europe by the importation of foreign, especially Chinese pigs, received that name about 35 years ago⁵, because their bodies, fine as hairs (τρίχες), are often spirally rolled up. Though sometimes crowded by millions in one individual⁶, they

φωριζὰς τραχύτητας; *Act. Nat. An.* X. 16 (on the authority of Manetho), γδλακτος βέλου ὁ γενομένης ἀλφῶν ὑποκίμματα καὶ λίπας; *Nachman.* on *Lev. XI.* fol. 91^a ed. Pressb., and *Bechai* on *Lev. XI.* fol. 27^b, ed. 1864, וְהָיָה חֵלֶם עֵינָיו וְהָיָה חֵלֶם אָזְנוֹ וְהָיָה חֵלֶם יָדָיו וְהָיָה חֵלֶם רַגְלָיו; comp. *Michael.* M. R. § 203, "whoever is afflicted by a cutaneous disease, were it but the common scab, must not eat pork." On several diseases of the pig known to the ancients see *Aristot.* *Hist. An.* VIII. 21; *Plin.* VIII. 51 or 77 (obnoxiū genus mortis, anginae maxime et strumae, i. e. quinsy and scrofula); XI. 37 or 68; *Colum.* R. B. VII. 10.

¹ *Sonnini*, *Voyage*, III. 291, 292;

comp. also *De Pauw*, *Recherches*, p. 104, les prêtres de l'Egypte . . . tâchaient principalement d'éviter la lèpre du corps, la lèpre des yeux ou la sporophthalmie et la gonorrhée etc.; see also on Chapt. XIV.

² *Cysticercus cellulosae*, Gr. γδλαζαι (comp. *Aristot.* *Hist. An.* VIII. 21), Germ. Finnen (comp. *Ersch und Gruber*, *Encycl.* I. XLIV. pp. 279—282).

³ *Trichina spiralis*.

⁴ Comp. *R. Virchow*, *Die Lehre von den Trichinen*, III. ed. Berl. 1866, pp. 62, 63, 66.

⁵ By Hilton in 1832, and by Owen in 1835.

⁶ Bodwitch calculated the number of trichinae found in one man to

can be recognised by the microscope only, owing not so much to their diminutive size, — for they attain a length of one-third to one half of a line — but to their complete transparency, which prevents the reflection of the received light. The generation of trichinae takes place, in the intestinal canal only, from animals there introduced with infected food. Arrived at their sexual maturity, or between the twentieth and the sixtieth day, the females which are viviparous are furnished with 1000 to 2000 ova⁷; the very next day the new brood begins to appear, the production of which is continued for three weeks. Then the old trichinae die, and the young animals immediately commence their peregrinations: fed by the fibres of the flesh which they irritate or destroy, they work their way, within twelve days, through the sides of the canal and the ligaments (not through the blood) chiefly into the muscles, and penetrate even to the more remote parts of the body. The worm grows till the 25th day, when it rolls itself up spirally; then the encysting process commences and is concluded in the third month, while the calcination of the capsule or cyst requires between 18 and 24 months, and preserves to the animal a truly marvellous vitality, which has been found unimpaired even after upwards of 13 years⁸. The worm grows in the muscles, but does not multiply there. Hence men have to fear no danger from the time when the worm becomes enclosed in the capsule, which forms its prison, and renders its further migration and activity in the same body impossible. The symptoms of the disease vary according to the quantity of trichinae which invade the muscles, and the ravages they cause in the fibres of the flesh; but they are often sufficiently alarming. The patient is suddenly seized with vomiting and purging, with griping, spasms, and gastric disorders, whence the illness, in its first stages, has sometimes been mistaken for cholera; or he suffers from various affections of the muscles, from debility, collapse, and stiffness similar to gout and rheumatism; often a feverish condition ensues not unlike the agonies of typhus; and generally the face becomes peculiarly swollen, especially near the eyes. Sometimes the symptoms assume an acute form, and the persons die in the second or third week after they have eaten infected meat; or serious results occur only after 10 or 14 days, and death takes place in the fourth or seventh week; and in other instances, though not ending fatally, a chronic malady remains, consisting in emaciation and wasting away. The first mortal case

amount to upwards of seven millions and a half; see *Gross*, Elements of path. Anat. 1845, p. 215.

⁷ Comp. *Pagenstecher*, Die Trichinen, 1865, p. 92.

⁸ Comp. *Virchow*. l. c. pp. 33, 40.

of illness from trichinae was ascertained in the year 1861 in the vicinity of Dresden¹; then, to pass by many isolated instances, followed an epidemic in Plauen in the Voigtland, where about 30 persons were taken ill², and a more serious one (in 1863) at Hettstädt in the province of Saxony, where 153 persons were seized and 28 died³; and lastly, in Hedersleben near Quedlinburg, a town of about 2000 inhabitants, the most important and most formidable outbreak of all took place; for in a comparatively short time upwards of 300 cases and 90 deaths were recorded, all of them the effect of a single diseased pig. However, both the facts and the apprehensions have been unwarrantably exaggerated. For as a rule, trichinae in swine are extremely rare; statistics prove, that they are found hardly in one pig among 5,000 or 10,000, nay in one among 50,000⁴; they are fatal only if they penetrate into the muscles in very large quantities; and they are destroyed, or at least rendered innocuous, by a temperature above 50° Réaum. It is, therefore, only necessary to avoid raw bacon so extensively eaten on the Continent, and in some counties of England by agricultural labourers; and to refrain from imperfectly smoked sausages prepared of raw pork, and from raw pork minced or scraped, as commonly taken with bread just in those parts of Germany in which the most fearful epidemics of trichinosis have raged: but pork becomes unfailingly harmless by stewing, roasting, and baking, generally also by thorough salting, pickling, and smoking. These precautions suffice to avert disease through trichinae: careful feeding of the swine, microscopic examination of pork by experienced observers, as now introduced in many of the larger towns of Germany, and public slaughter-houses subjected to official control, may be recommendable as additional protections⁵.

¹ Comp. *Zeucker* in Virchow's Archiv XVIII. p. 561.

² Comp. *Boehler*, Die Trichinenkrankheit und die Behandlung derselben in Plauen, 1863.

³ Comp. *Rupprecht*, Die Trichinenkrankheit im Spiegel der Hettstädter Endemie betrachtet, 1864.

⁴ "Immerhin halte ich es für richtig", observes Virchow, "dass im Grossen und Ganzen trichinische Schweine selten sind" (l. c. p. 37).

⁵ Comp. *Virchow* l. c. pp. 77 *sqq.*; *Fr. Küchenmeister* Ueber die Nothwendigkeit einer allgemeinen Durch-

führung einer mikroskop. Fleischschau, Dresd. 1864; *A. C. Feit*, Bericht . . . über öffentliche Schlachthäuser, 1864; see in general *Leuckart*, Untersuchungen über Trichina spiralis, 1860; Die menschlichen Parasiten und die von ihnen herrührenden Krankheiten, 1863, vol. I; *K. Haubner*, Ueber die Trichinen mit besonderer Berücksichtigung der Schutzmittel gegen die Trichinenkrankheit bei Menschen, Berlin 1864; *Pagenstecher*, Die Trichinen 1865; *R. Virchow*, Die Lehre von den Trichinen, III. Edit., Berlin 1866; *A. C. Feit* l. c. pp. 13—15;

Hence we may conclude, that the Biblical prohibition of pork was prompted, among other reasons, by the diseases which its consumption was even in early ages noticed to produce or to foster, though we are unable distinctly to point out those diseases, whether the tape-worm, trichinosis, or any other disorder was engendered.. If we add that the pig was known to be omnivorous, to devour rats and mice, and sometimes its own young, that it occasionally attacks men and consumes human bodies⁶, and was even supposed to feed upon serpents⁷, we can well understand why the eating of pork was, at a comparatively remote time, denounced by Hebrew teachers with uncompromising vehemence, and why it was enumerated among the worst abominations of idolatry⁸, and the most wicked practices⁹.

But do even all these combined circumstances account for the supreme importance attached to abstinence from pork? They hardly suffice to explain all the remarkable facts which are associated with this subject, and some of which we may be allowed to recall to the reader's memory. In the times of the Syrian dominion and of the Maccabees, the Jews preferred the most horrible tortures and death itself to the defilement of pork; and the aged Eleazar and the mother with her seven sons were no exceptional examples of heroic fortitude. They considered it a triumph and a glorification of God, to show their constancy by offering up their lives as a sacrifice¹⁰, and they were certain of the most splendid rewards which awaited their firmness in the future world¹¹. The swine was not only singled out as the type of all unclean beasts¹², but the eating of pork was equivalent to forswearing the Law and to absolute apostasy¹³. Later, the

esp. *A. C. Gerlach*, Die Trichinen, Hannover 1866; etc. etc.

⁶ *Ælian*, Nat. An. X. 16 init., ἡ ὕς καὶ τῶν ὀρέων . . . ἀπειθῶς ἔχει, καὶ μέντοι καὶ ἀνθρώπου σώματι ἐντροχόσσα οὐκ ἀπείχεται, ἀλλ' ἐσθίει; *Plin.* VIII. 77 or 51, comesse fetus his non est prodigium; X. 63 or 83, feminas (subantes) autem in tantum efferari ut hominem lacinient, candida maxime veste indutum; XI. 53 or 115, quia et subus serpentes in pabulo sunt; XXIX. 4 or 23; *Colum. R. R.* VII. 11, sunt quaedam scrofae quae mandunt foetus suos; comp. *Strabo* IV. iv. 3, p. 197; Sept. 1 Ki. XXI. 19; XXII. 38 (ἐλιξεν αὐ ὡς καὶ οἱ κύνες

τὸ αἶμα Ναβουθαὶ κατ.); *Talm.* Nidd. 58^b; Moed Katon 24^a (רמ עורו עורו עורו); Bab. Kam. Tos. 19^b.

⁷ *Aristot.* Hist. An. IX. ii. 9.

⁸ *Isai.* LXV. 4; LXVI. 17.

⁹ *Isai.* LXVI. 3; comp. *Prov.* XI. 22; *Matth.* VII. 6.

¹⁰ 1 Macc. I. 63, 64; 2 Macc. VI. 18—31; VII. 1 *sqq.*, 37; *Joseph. Macc.* 5—14.

¹¹ 2 Macc. VII. 9, 14, 24.

¹² 1 Macc. I. 47.

¹³ 2 Macc. VII. 1 *sqq.*; see *Joseph. Macc.* c. 5; *Ant.* XII. v. 1; *Bell. Jud.* I. i. 2; *Philo*, In *Flacc.* c. 11; some editions of the Sept. read in Ps. XVII

very word חזיר was avoided as detestable and replaced by the euphemism דבר אחר¹; or if used, it was applied as a byword of idolatrous nations², especially of archenemies of the Jews, such as the Edomites and Romans³. The doorposts of houses in a swine-breeding town were not to be provided with the religious inscriptions (מזוזות) ordained by the Law⁴; and the rearing of pigs by Jews was unconditionally forbidden in any country⁵, and even stamped as an accursed pursuit, as was the study of Greek philosophy, since both alike were considered to lead to desertion of the Jewish faith⁶. Finally, the abhorrence of the Israelites to pork struck the heathens as the most conspicuous characteristic of their religion⁷, and it was believed that they would eat human flesh with no greater repugnance than pork⁸. This peculiar aversion to the pig must have had a peculiar reason; it must in some manner have been connected with the very essence of the Hebrew faith itself. In searching for the reason, we obtain welcome aid from statements of classical writers.

It cannot be doubted that the swine, on account of its prolificness, was extensively regarded as an emblem of the fertility of nature and of her productive powers; it received, therefore, a cosmic significance; it represented the main principle of all heathen religions — the eter-

(XVI). 14 ἐγχορδασθησαν δὲ αὐτοὶ (for שבת בנין).

¹ Comp. *Talm. Shabb.* 110^b, 129^b; *Berach.* 43^b; *El. Levita* Tishbi s. v. דבר; the same paraphrase was used with reference to leprosy (*Talm. Shabb.* 129^b) and to sexual intercourse (*Talm. Berach.* 8^b); comp. in Greek ἀπαγορεύεται ἀλλόκοτον.

² *Yalk. Rub.* 12^a, דבר אחר דבר אחר דבר אחר.

³ Comp. *Abarb. Bosh Emun.* c. XIII. fol. 17^b, ed. Altona, with reference to Ps. LXXX. 14; see *Eisenmenger*, *Entd. Judenth.* I. 741, 755, 779—785.

⁴ *Deut.* VI. 9; XI. 20; comp. *Crescenzsch*, *Schulchan Aruch*, I. 121.

⁵ *Mishn. Bab. Kam.* VII. 7, דבר אחר דבר אחר דבר אחר; *Avoth de-Rabbi Nathan* c. 35; comp. *Porph. Abst.* I. 14, Φοβίνας δὲ καὶ Ἰουδαῖοι ἀπέχοντο, οὐδὲ οὐδὲ δὲ αὐτοὶ ἐν τοῖς τόποις ἐφύετο.

⁶ *Mishn. Bab. Kam.* 82^b; *Menach.* 64^b; *Sot.* 49^b; *Talm. Jer. Shekal.* fol. 47^b (where

rearing swine is coupled with the two disgraceful vices of drunkenness and usury): the rule was fixed שבת בנין דבר אחר דבר אחר דבר אחר; comp. *Maimon. Yoreh Deah* c. 5; *Yor. Deah* § 117; *Bab. Kam.* fol. 106^a, rule 18.

⁷ Comp. *Tacit. Hist.* V. 4; *Phyl. Symp.* IV. v. 1 sqq.; *Strabo* XVI. ii. 37; *Diod. Sic. Fragm.* XXXIV. 1; *Joseph. C. Ap.* II. 14; *Ant.* XIII. viii. 2; *Philo, Legat. ad Caium* c. 45; *Porph. Abst.* IV. 11 (ἀπεχόμενοι ζώων, ἰδίως δὲ ἐν καὶ νῦν τῶν χοίρων); *Petron. Satir. Fragm.* XLVII. 1.

⁸ Comp. *Juven.* XIV. 98, Nec distare putant humana carne suillam; comp. VI. 160; *Macrobi. Sat.* II. 4, melius est Herodis porcum esse quam filium, as Augustus is reported to have observed; comp. also *Aelian, Nat. An.* XVI. 37 (with regard to the Hindoos), οὐκ ἂν γένοιτο ποτὶ δέσπον, ὁσπικρὸν οὐδὲ ἀνθρωπίνων ἐστὶν.

nal working of the elements and of the innate forces of matter, a principle directly opposed to that of Hebraism, which rigorously insists upon one personal Deity, creating, ruling, and preserving the universe and all mankind. Hence many pagan nations sacrificed the swine to those gods to whom they attributed the fertility of the soil and the fruitfulness of cattle. Though the Egyptians commonly avoided the pig as particularly unclean, they offered and consumed one once every year, at the feast of the full moon, in honour of Isis and Osiris, the fructifying powers of nature, and this was done so scrupulously, that the poor who could not afford a pig, were ordered to shape one of dough, and to hallow and to eat this image⁹. The pig was indeed believed to have suggested the first idea of ploughing and the plough-share by breaking up the earth with its protruding snout¹⁰. In Egypt it was no unimportant agent in securing agricultural success; for in some parts of the country, especially in the Delta, as soon as the subsiding Nile had irrigated the fields, and when the sowing had been completed, the husbandmen turned swine into their land to press the seed into the ground, thus protecting the grains from the birds; and at harvest time pigs were employed to tread out the corn¹¹. The famous zodiac of Denderah represents between the sign of fishes and that of the ram a man carrying a small pig, which points to the Egyptian swine offering in reference to the progress of the seasons¹². A pig formed the usual sacrifice for Demeter¹³. Thus the Athenians generally offered one in their mysteries, which mainly related to the secret activity of nature¹⁴. On Athenian and Eleusinian coins, Ceres

⁹ *Herod.* II. 47, 48 init., τοῖσι μὲν νῦν ἄλλοις θεοῖσιν θύειν ὅς οὐ δίκαιός ἐστι Αἰγύπτιοι. Σελήνῃ δὲ καὶ Διονύσῳ μόνον, τοῦ αὐτοῦ χρόνου, τῇ αὐτῇ πανσελήνῃ, τοὺς ὅς θύσαντες, πατέονται τῶν κρεῶν; comp. Wilkinson in loc.; *Ael. Nat. An.* X. 16, ὅταν οὖν πανηγυρίζῃσι τῇ σελήνῃ θύουσιν αὐτῇ ἀπαξ τοῦ ἔτους ὅς κτλ.; *Plut.* Is. c. 8, θύοντες ἀπαξ ἓν ἐν πανσελήνῃ καὶ ἐσθίουσιν κτλ.; comp. c. 43. The Zabii also eat pork on a certain day (comp. *Holtinger*, *Hist. Or.* p. 198).

¹⁰ *Plut.* *Symp.* IV. iv. 2; ὅντις the ploughshare is supposed to have been named from ὅς.

¹¹ *Herod.* II. 14 (where Wilkinson remarks, "In the district of Gower,

in South-Wales, corn is trodden in by sheep to this day"); *Ael. Nat. An.* X. 16; *Plut.* *Symp.* l. c.; *Plin.* XVIII. 18 or 47 (credo antiquitus factitatum). In times of mice-plagues, the pigs were turned among the mice to tear up their runs (*Aristot. Hist. An.* VI. xxx. 2).

¹² Comp. *Crescer.* *Symb.* IV. 289.

¹³ *Aristoph.* *Ran.* 337, 338; *Macrobi.* *Sat.* I. 12.

¹⁴ *Varro R. R.* II. 4, Initia Cereris porci immolantur; *Aelian* l. c.; *Hygin.* *Fab.* CCLXXVII; the reason adduced by Aelian, "because the pigs injure the young crops" is an improbable conjecture, although it is repeated by other writers, as *Macrobi.*

is figured together with a swine¹. The Boeotians, at an annual festival celebrated in their sacred grove near Potniae in honour of Demeter and Kora (Proserpine), let down into subterranean chambers pigs which were supposed to reappear in the following summer at Dodona, near the old and sacred oracle². The early Romans honoured Ceres or Tellus after the conclusion of the harvest by the sacrifice of a pig³, generally a fat and pregnant sow⁴, which indeed was considered to have been the first offering slaughtered to Ceres⁵, if not the first of all sacrifices⁶, "because the swine is useful to men mainly by its flesh", that is, by its death⁷.

Therefore, pigs, so far from being detested, were often declared holy. Thus the Syrians in Hierapolis, who neither ate nor offered swine, did so, according to some ancient authorities, "not because they believed pigs to be a pollution, but sacred animals"⁸. The Cretans held the pig holy, not on account of the mythical reason put forth by some foreign writers, that a sow allowed the infant Jupiter to suck her teats and by her grunting prevented the child's cries from being heard, but because it was the emblem of fruitfulness, whence the Praisians, a tribe of Crete, regularly sacrificed a sow before marriage⁹. Callimachus

Hygin., and Clem. Alex. (Strom. VII. p. 718 ed. Sylb. ἐπεὶ μάλιστα τῶν ἄλλων τοὺς κάρπους ἀνορύσσει καὶ φθίπτει); comp. also *Ovid*, Fast. I. 349—352 (ulta suas merita caede nocentis opes etc.); Metam. XV. 112, 113 (quia semina pando eruerit rostro etc.).

¹ See *Creuzer*, Symb. IV. 380; comp. pp. 291, 378.

² *Paus.* IX. viii. 1; *Clem. Alex.* Admon. ad Gent. p. 11 ed. Sylb., δι' τὴν αἰτίαν ἐν τοῖς θεσμοφορίοις μαγαρίζοντες χοίρους ἐκβάλλουσιν.

³ *Hor.* Epist. II. i. 143, Tellurem porco . . . plabant; comp. *Plin.* VIII. 51 or 77.

⁴ *Cornutus*, De Natur. Deor. p. 168 ed. Osannus (θύουσι δ' ὅς ἐγκύμονας τῇ Δήμητρει πᾶν οἰκίῳ, τὸ πολύγονον . . . παριστάντες); *Macrobius*, Saturn. I. 12; sus praegnans ei — Majae — mactatur, quae hostia propria est terrae; *Arnob.* Adv. Nat. VII. 22, Telluri matri scrofa inciens immolatur et feta; very fat and quite perfect pigs were hence called *porci mystici*;

comp. *Bähr*, Symb. II. p. 256.

⁵ *Ovid*, Fast. I. 349, prima Ceres avidae gavis est sanguine porcae; comp. also *Juv.* X. 354, 355; VI. 447.

⁶ *Varro*, R. R. II. 4, sus graece dicitur ὅς olim θῦς dictus, ab illo verbo quod dicunt θύειν, quod est immolare; ab suillo enim genere pecoris immolandi initium primum sumptum videtur (comp. *Athen.* IX. 64); *Arist.* Ethic. Nicom. VIII. 11; *Ovid*, Metam. XV. 111, 112, et prima putatur hostia sus meruisse mori.

⁷ *Porph.* Abst. I. 14, οὐδὲ γὰρ ἐστὶ χρήσιμον πρὸς ἄλλο τι ὅς ἢ πρὸς βρῆσιν; III. 20, ἡ δὲ ὅς οὐ δι' ἄλλο τι πλεονέχεται ἐγγόνει; *Lactant.* Instit. IV. 17. Among the northern nations the boar was regarded in a similar light; comp. *Bähr*, Symb. II. 260.

⁸ *Lucian*, Dea Syr. c. 54, ἄλλοι δ' οὐ σφίας ἐναγίας ἀλλὰ ἱερὰς νομίζουσιν.

⁹ *Athen.* IX. 18, Πραῖσιοι δὲ καὶ ἱερὰ βέζουσιν ὅς, καὶ αὐτῇ κροταλῆς αὐτοῖσι θυσιῇ νενομίσται.

called Venus Castnetis the wisest of her sisters, because she was the first among them who accepted the sacrifice of swine¹⁰. Nay the Hebrews themselves were believed, however erroneously, to have avoided pork, not from feelings of disgust, but "because they held the sow in honour as their instructor in sowing and ploughing"¹¹.

Hence again, as Ceres, or agriculture, was looked upon as the originator of all personal and civil ties, of matrimony and law, of social and political order¹², the swine was employed for various solemn and imposing rituals connected with domestic and public life. The Athenians, on entering the national assembly, used certain parts of the pig for purification¹³; when they desired to expiate a house, a temple, or a town, the priests carried young pigs round the edifice or the city; and they sprinkled with pig's blood the benches used at popular assemblies¹⁴. By the same offering the Romans purified the public roads or cross-ways¹⁵; conciliated the manes of dead men the bones of whom had been left uncovered upon the ground¹⁶; and honoured the Lares¹⁷; they included the pig among the animals employed for their periodical lustrations¹⁸; sealed peace, treaties, and friendly compacts by the slaughter of a pig¹⁹, and maintained this custom even to the

¹⁰ *Strabo* IX. v. 17, p. 438.

¹¹ *Plut.* l. c. οὕτως καὶ τὴν ὄν αἰβε-
σθαι ἐπόρου καὶ ἀρότου διδάσκαλον;
Petron. Satir. Fragm. XLVII. 1, p. 103
ed. Berl. 1862, Judaeus licet et por-
cinum numen adoret etc.

¹² Comp. *Diod. Sic.* I. 14, διὸ καὶ
τοὺς παλαιούς Ἑλληνας τὴν Δήμητραν
θεσμοφόρον ὀνομάζειν, ὡς τῶν νόμων
πρώτον ὑπὸ ταύτης τεθειμένων; *Ovid*,
Metam. V. 341—343; *Plut.* Conjug.
Præcepta init., μετὰ τὸν πατριον
θεσμὸν, ὃν ὁμῶν ἡ τῆς Δήμητρος λέ-
ρεια . . . ἐφήρμησεν κτλ.; *Serv.* ad Aen.
IV. 58; etc. etc.

¹³ *Demosth.* Adv. Conon. c. 39, τοὺς
ὄρχαις τοὺς ἐκ τῶν χοίρων.

¹⁴ Which ceremony was called πα-
ρίστια; and the term χοιρίδιον became
synonymous with καθάρσιον; comp.
Suid. sub περιστάρχος and sub κα-
θάρσιον (ἔθος ἦν Ἀθήνῃσι καθάριον
τὴν ἐκκλησίαν καὶ τὰ θέατρα καὶ ἕως
τὰς τοῦ δήμου συνόδους μικροῖς πάνυ
χοιριδίοις ἀπὲρ ὀνόμαζον καθάρσια);

and equally explicit are *Pollux* lib.
VIII. col. 447, ed. Basil.; *Hesych.* s.
κάθαμμα; and *Schol. Aristoph.* Ach.
44. It is indeed not impossible that
the passage in Isaiah above quoted
(LXVI. 17), "they that sanctify and
purify themselves in the gardens . . .
eating swines' flesh", involves a si-
milar notion and practice.

¹⁵ *Propert.* V. 1. 23, parva saginati
lustrabant compita porci.

¹⁶ *Cic.* De Legg. II. 22 (57).

¹⁷ *Hor.* Od. III. xxiii. 4.

¹⁸ In the sacrifice of *suovetaurilia*;
comp. also *Juven.* Satir. XI. 82—84.

¹⁹ *Varro* R. R. II. 4, Initia pacis
foedus cum feritur, porcus occiditur;
Virg. Aen. VIII. 641, caesa jungebant
foedera porca; Liv. I. 24 (tu illo die,
Jupiter, populum Romanum sic ferito
ut ego hunc porcum hie hodie feriam):
in which practice the Latin usage
foedus icere originated; comp. *rup*
rur; see Comm. on *Genesis* . . .

times of the emperors¹; they, therefore, represented the image of a pig among the figures on the Roman standards, since the object of war is peace², and it was an old and long preserved usage of the Roman bride, when first entering her husband's house, to touch the doorposts with pig's fat³. The same animal was sacrificed by the Cyprians for purposes of divination⁴; by the Argives to Venus at the festival of Hysteria⁵; and by the ancient Latini, the princes and chiefs of Etruria, and the Italic Greeks, at matrimonial feasts, which are associated both with a sacred alliance and the idea of progeny⁶. Moreover, as pork was, in its nature and taste, considered to resemble human flesh⁷, the offering of a swine was, on peculiar emergencies, substituted for a human sacrifice⁸.

Can it, then, be surprising that the Jewish doctors and sages, anxious to wean the people from the worship of nature and her powers, and to imbue them with reverence for the one eternal Creator, the Bestower of all earthly blessings, looked with implacable detestation upon the animal which typified a main feature of paganism, and declared the eating of pork as nothing less than a revolt against the foundations of Judaism, nay that the early teachers among the Christians shared the same repugnance, and relaxed in it only after long struggles⁹? The very persecution and ridicule which the Jews constantly suffered on that account, helped to intensify their abhorrence, especially as the eating of pork was, in later times also, enforced and regarded as the first and most conspicuous act of the Jewish

¹ *Sueton.* Claud. 25, cum regibus foedus in foro icit porca caesa etc.

² *Festus* s. v. porci effigies inter militaria signa quintum locum obtinebat, quia confecto bello, inter quos pax fieret, caesa porca foedus firmari solebat.

³ *Plin.* XXVIII. 9 or 37, certe novae nuptiae intrantes etiamnum solemne habent postes eo (adipe suillo) attingere; comp. also *Braun*, *Naturg.* der Sage, II. 319, 320.

⁴ *Pausan.* VI. ii. 2, Κύπριοι δὲ καὶ οὖν ἐκτελευτῶντες εἰς τὸ παντρεύεσθαι.

⁵ *Athen.* III. c. 49.

⁶ *Varro* l. c. nuptiarum initio antiqui reges ac sublimes viri in Etruria in conjunctione nuptiali nova nupta et novus maritus primum por-

cum immolant; and he adds the explanation of a peculiar Latin usage: nam et nostrae mulieres, maxime nutrices, naturam qua foeminae sunt, in virginibus appellant porcum, et graece χοῖρον significantes esse dignum insigni nuptiarum. Comp. in general *Cassell*, *De Judaeorum odio et abstinencia a porcina ejusque causis*, Magdeb. 1740; *De sue in Sacrif. Gentilium*, 1743; *De Sacrificiis porcinis in cultu deor. veter.* 1775; *De sue in divinationibus et mysteriis magicis* (nov. Bibl. Brem. II. 113 sqq.).

⁷ *Galen*, *De Alim. Fac.* III. 2, see *supra* p. 80.

⁸ Comp. *Ovid*, *Fast.* VI. 158.

⁹ Comp. *Ernesti*, *Comm. Theol.* III. 343.

renegade, as among Mohammedans it is still held to be equivalent to abjuring the Islam¹⁰. Thus all the varied reasons which individually unfitted different animals for food, were combined in the pig to render it hateful in the eyes of the Jews — loathsome uncleanness, unwholesomeness, carnivorous ferocity, and dangerous seduction to paganism.

We now resume the main thread of our enquiry¹¹.

It is not impossible that the Hebrews were also induced by motives of health to look with distrust upon the hare and rock-badger¹², and upon fishes unprovided with fins and scales. For the fins replace the limbs which, in fishes, are rudimentary and imperfectly developed; and the presence of scales was deemed a sign of a more advanced organisation, while their real or supposed absence, giving to the fishes a slimy and disagreeable appearance, seemed to qualify them to live in the mud rather than in the water, and was in the eel, for instance, easily connected with the poisonous and hated serpent. It has, moreover, been ingeniously conjectured, that the scales are formed by the secretion of all superfluous and unhealthy humours which exist in the body, and which therefore in fishes without scales remain in the flesh, and make it heavy and even dangerous food¹³. Indeed in Egypt, fishes without scales are generally found to be injurious, and were forbidden by the laws of El-Hakim¹⁴.

But when the people, after long struggles, made progress in moral refinement, they deemed it no longer sufficient to study mere expediency, and simply to avoid repulsive and unwholesome animals; but they felt an aversion to all beasts and birds of prey, which feed upon carcass, or attack live animals or men, and regarded them as "an abomination"¹⁵: from physical dislike and instinctive caution an

¹⁰ Comp. *Bochart*, Hieroz. I. pp. 695—707; *Cunaeus*, De Rep. Hebr. II. c. 24, pp. 342—348; *Spencer*, Legg. Ritt. I. vii. 4, pp. 131—138; *Bähr*, Symb. II. 233, 234, 256—258; etc. etc.

¹¹ See *supra* p. 79.

¹² See *supra* p. 55.

¹³ Comp. *Abarb.* on Lev. XI. fol. 26^b, 27^a, ed. Amsterd. וְהַיִּשְׁתָּהוּ הַיָּם; *Nachman.* on Lev. XI. 9, the fishes with scales remain generally near the surface of the water, and inhaling the air, and warmed by the sun, they

lose the superabundance of moisture, are less cold, and therefore more digestible, etc. (also in *Bechai* on Lev. XI fol. 28^a); *Clem. Alex.* Strom. II, p. 389 ed. Sylb. "qui enim pisces squamos non habent . . . pascuntur in profundo maris" (see *supra* p. 61); *De Pauw*, Recherches, p. 154.

¹⁴ Comp. *Lanc.* Mod. Egypt. I. 132. The Talmud warns persons with weak eyes altogether against fish, which it believes to be injurious to the eyes (וְהָיָה לְעֵינַיִם חֲלָשִׁים, Nedar. 54^b; Meil. 20^b).

¹⁵ Comp. Lev. XI. 13 *sqq.*

advance was made to ethical restraint and self-respect¹. Mildness of temper was not unnaturally expected from vegetable food, or the meat of harmless animals. "The thoughtful", observes a heathen writer, "usually value even among the irrational animals the tamer, more moderate, and milder kinds"². Philo remarks more explicitly, that wild beasts, which feed on human flesh, were excluded, "because a gentle meal is becoming the gentle soul"³; and developing this idea, it may be too elaborately, he contends, that the lawgiver selected those herbivorous animals "which are domesticated and tame by nature, and feed on the simple food supplied by the earth", while he prohibited the carnivorous kinds, "lest by a desire to retaliate the sanguinary deeds of the wild beasts anger and ferocity are engendered in the human mind"⁴. The aversion of the Hebrews to beasts of prey increased together with their abhorrence of blood; and they detested all rapacious animals that devour the flesh with the blood, that is, the soul⁵. Therefore, they not only kept aloof from the bat-tribe (cheiroptera), which suck the blood of living animals, and some of which, as the phyllostoma, attack men when asleep, and have given rise to the numerous fables about vampyres⁶; but they also rejected all carnivorous animals pro-

¹ "Unclean are all animals", observes Keil (Arch. II. 19; on Lev. p. 83) "that bear in them the stamp of sin, death, and decomposition"; which remark, correct to a certain extent, becomes artificial if carried out in detail, and especially if sin is attributed to the animal world also, whether really or typically; see *supra* p. 62.

² *Ael. Nat. An.* X. 16, τὰ πραότερα καὶ φειδοῦς ἄμα καὶ εὐσεβείας μετέλληγόντα.

³ Προσιναστέτην καὶ ἡδίστην εὐωχίαν παρασκευάζειν λογίζομενος τὸ πρέπον ἡμέρῃ ψυχῇ.

⁴ *Philo, De Concup.* cc. 4, 9; similarly *Ebn Ezra* on Lev. XI. 42, "the consumed body turns to flesh in the body of the consumer"; *Nachman.* on Exod. XXII. 30, "the forbidden food has solely reference to purity of soul" (אָס דאָס פֿוֹד דאָס פֿוֹד) etc.; and on Lev. XVII. 11, "the food becomes one with him who eats it" etc., אָס דאָס פֿוֹד דאָס פֿוֹד; *Bechaion* Lev. XI. fol.

27^b, on Lev. XVII. fol. 46; *Lipman* Sepher Nizzachon on Lev. XI. 4, "the food shuts up the organs of the mind so that they cannot reach the truth"; etc.; see also *Clem. Alex. Strom.* VII. 717, 718 (δυσμφορόν ἐστι ἡ διὰ τῶν σαρκῶν τροφὴ εἰργασμένη τῇδὲ καὶ ἐξομοιούμενη ταῖς τῶν ἀλόγων ψυχαῖς); *Hotting. Jus Hebr.* pp. 209, 220 (noxius ciborum usus et esus ipsi quoque animae periculosus est); *Eisenmenger, Entd. Judenth.* II. 618.

⁵ See p. 2. In this sense we may agree with the remark of Philippeon (Pentat. p. 595; Israelit. Religionslehre III. 36), Trusen (Sitten p. 28), Wunderbar (Bibl. Talm. Medic. II. p. 50), and others, that "animal life should be incorporated in human life with the discreetest caution, lest, by the assimilation of both, the human be debased into animal life, and the soul be depraved and profaned", etc.

⁶ Yet the largest species, the black rousette (*pteropus edulus*) is eatable; it is of the size of a small dog, and

vided with powerful claws to seize, and with formidable teeth, sharp, pointed, or conical, to hold and to tear their prey: whether the Insect-eaters (insectivora), as the hedge-hog (erinaceus), permitted to the Hindoo priests⁷; the common and the pigmy shrew (sorex araneus and pygmaeus), of musky scent, the smallest of all mammiferous quadrupeds; the mole (talpa Europaeus), beneficently preying upon earth-worms and insect larvae; or the Carnivora proper — all unguiculate, furnished with six incisor teeth in each jaw, massive grinders, tuberculated, pointed, and serrated, large fangs or tearers, peculiarly adapted for their sanguinary work — as the bear in its various kinds, which was a dainty to some ancient nations⁸, as it is still to North-American and Siberian savages, who worship bears, and entreat their pardon after the slaughter⁹; the long and slender tribes of badger and glutton, the weasel and otter, the pole-cat, the ferret, the marten, and the ermine, all highly prized for their valuable furs; the civets (viverridae), as the ichneumon justly honoured and protected in Egypt; the whole feline tribe, the most blood-thirsty and formidable of all predaceous animals, both on account of the velocity of their movements and their enormous strength, as the lion, the panther, and the leopard, though all were occasionally eaten in the ancient world¹⁰, the ocelot and the jaguar, the terrible hyena preying on carrion only or on corpses grubbed out of their graves, and the wild cat, though now valued, domesticated, and rendered useful, and formerly eaten by some heathen nations¹¹; and lastly, the whole canine family, as the cunning fox, though no uncommon food in Palestine and Italy¹², the gluttonous wolf, and the nocturnal jackal, the natural scavenger of all manner of carrion and offal. As regards the dog itself, it was indeed long eaten by some nations as the Carthaginians¹³, as it is still consumed by the people of China and Cochin-China, "its flesh being with the exception of that

resembles the rabbit. See Lev. XI. 19, and notes in loc.

⁷ *Manu* V. 18; *Yājñav.* I. 177.

⁸ *Galen*, De Alim. Facult. III. 2.

⁹ *Meiners* l. c. pp. 219, 220; see *supra* p. 47.

¹⁰ Comp. *Joseph.* Ant. XII. iii. 4; *Galen* l. c. The notice of Philostratus (Apoll. II. 29) with respect to lions and the hams of tigers said to have been eaten in India, is questionable.

¹¹ Comp. *Herod.* II. 66.

¹² Comp. *Joseph.* l. c.; *Galen* l. c.

¹³ Comp. *Plut.* De Sollert. Anim. c. 2; *Justin.* XIX. 1, legati a Dario Persarum rege Carthaginem venerunt afferentes edictum quo Poeni humanas hostias immolare et canina vesci prohibebantur; *Galen* l. c. καὶ ἐν τῶν ἐθνῶν ἐστὶ τοῦσι πάμπολλοι. Occasionally the dog seems, in Greece, to have been sacrificed for the purposes of divination, though Pausanias himself, who records an instance (VI. ii. 2), observes καὶ δὲ οὐδὲν ἐπὶ γὰ μαντικῆς νομίζουσιν οὐδὲν χρῆσθαι.

of the hog the most common in their markets"¹, and by the inhabitants of Zoab and other African tribes²; and it was even worshipped by some, as the Egyptians³, or employed for purificatory and other sacrifices, as by the ancient Greeks⁴ and some Thracian tribes⁵; yet it was by others, as the Persians, looked upon with mingled feelings of veneration and aversion, according as they either considered its moral and useful qualities or its ferociousness and voracity⁶ in the East often rendered wolflike by neglect and want⁷; and it was by others again invariably regarded with unmitigated disgust, as by the Hindoos, who count the dog's soul among the most impious of spirits, and therefore hold the touch of a dog to be hideous contamination⁸, by the Zabii⁹ and by the Mohammedans, who dare not drink from a vessel from which a dog has drunk unless it be cleansed seven times with water, and who shun the slightest contact with the animal, be it only its wet nose, as a defilement to be removed by a purification "with seven waters and once with clean earth"¹⁰: the Biblical writers also allude to the dog exclusively in terms of contempt and disparagement, without evincing the slightest appreciation of its singular instincts¹¹, although they were not unacquainted with the most re-

¹ *McCulloch*, Dict. of Commerce p. 533 ed. 1859.

² *De Pauw*, Recherches, p. 169; *Shaw*, Trav. p. 67.

³ See *supra* p. 73.

⁴ *Plut.* Quaest. Rom. 52, 68, τῶ δὲ κυνὶ πάντες . . . Ἕλληνας ἐγρῶντο καὶ γρῶνται γε μέχρι νῦν ἔνιοι σφαγίῳ πρὸς τοὺς καθαρμοὺς πλ.: this kind of purification was called περισκυλακισμός; *Romul.* c. 21; comp. *Pausan.* III. xiv. 9.

⁵ *Ovid*, Fast. I. 389, 390 (Exta canum vidi Triviae libare Sapaes, Et quicunque tuas accollit, Haeme, nives).

⁶ Comp. *Justin.* l. c.; *Boundesch* XIV. l. c. "le chien a été donné pour prendre soin des hommes et protéger les animaux". See the elaborate precepts and discussions on the subject in *Vendidad* XIII. 21—159; XIV. 1—75; XV. 9—21, 60—137, which all aim at securing the services and breaking the savage habits of the dog by careful treatment; the dog's look

was supposed to have the power of driving back evil spirits; roads on which corpses had been carried were purified by leading dogs along them (*Vendid.* VIII. 38 sqq.); comp. also III. 25—27, 39, 40; see *Spiegel*, *Avesta*, II. pp. XXXIII, XXXVIII.

⁷ See 1 *Ki.* XIV. 11; XVI. 4; XXI. 19, 23; XXII. 38; 2 *Ki.* IX. 35, 36; *Isai.* LVI. 10, 11; *Jer.* XV. 3; *Ps.* XXXII. 17, 21; *LIX.* 7, 15; *LXVIII.* 24; comp. *Exod.* XXII. 30; *Luke* XVI. 21.

⁸ Comp. *Manu* III. 92, and *Jones* in loc.

⁹ Comp. *Holting.* Hist. Or. p. 186.

¹⁰ *Niebuhr*, Besch. v. Arab. p. 40; *Lanc.* Mod. Egypt. I. 132.

¹¹ Comp. *Exod.* XI. 7; *Deut.* XXIII. 19; 1 *Sam.* IX. 8; XVI. 9; *XVII.* 43; *XXIV.* 15; 2 *Sam.* III. 8; *IX.* 8; XVI. 9; 2 *Ki.* VIII. 13; *Isai.* LVI. 10, 11; *LXVI.* 3; *Ps.* XXII. 17, 21; *LIX.* 15; *Prov.* XXVI. 11; *Eccl.* IX. 4; *Matth.* VII. 6; 2 *Pet.* II. 22; *Philem.* III. 2; *Revel.* XXII. 15; comp. on the other

markable, if not the original species, the shepherd-dog¹², and in later times learnt to like it as a companion both at home and on journeys¹³; and the Egyptians, looking chiefly on the diseases to which the dog is subject in warmer climates, as eruptions in consequence of bad blood and humours, and especially leprosy, considered the embalmers of dogs particularly prone to splenetic and similar disorders¹⁴. For analogous reasons the Hebrews may have shunned many of the rodent tribes (rodentia or glires), as the mouse and the rat, though the graceful neatness of the former has tempted many¹⁵, and "the rat of the desert" (jerboa) is by Bedouin tribes prized as so exquisite a delicacy¹⁶, that it is expressly forbidden to stricter sects¹⁷; again, the beaver and the porcupine, the subungulate guinea-pig and its kindred (the savoury-fleshed agoutis, the paca, and the cavia); though they avoided other species of the same class from different motives, as the hare and the rabbit, and the pretty and lively squirrel tribe (sciurina) harmlessly living on fruits and grain. They naturally shunned the formidable or repulsive birds of prey (raptatores), distinguished by powerful feet and talons, strength of vision, and swiftness of wing, preying upon other animals or feeding upon carrion, whether the "nocturnal" or "crepuscular" owl, or the "diurnal" birds, the ravenous vulture and the colossal condor, the largest of all flying birds measuring with its extended wings from 11 to 13 feet, the family of the intelligent and courageous falcons (accipitrini),

hand, *Cic. Nat. Deor.* II. 63 (or 158). It is well known that the later Jews called their heathen enemies dogs, as the Mohammedans usually call the Christians.

¹² Job. XXX. 1. Jewish writers (as Bechai on Exodus XXII. 30) observe that *לֹכֵסֶת*, which comes from Satan, is appropriately thrown before the dogs which, like *לֹכֵסֶת*, belong to Satan; yet according to a Midrashic explanation, the flesh of animals torn by wild beasts (*לֹכֵסֶת*) was assigned by the Law to the dogs (Exod. I. c.) as a reward for not having barked at the Hebrews in the night of their flight from Egypt (Exod. XI. 7); comp. *Mechilta* on Ex. XXII. 30 (c. 20, *לֹכֵסֶת*, fol. 104 ed. Weiss, *לֹכֵסֶת* *לֹכֵסֶת*); *Rashi* in loc., and others.

¹³ Tobit V. 16; XI. 4; Matth. XV. 27; comp. *Hom.* II. XXIII. 173 (*παρὰ τῆς κύνος*); Od. XVII. 309.

¹⁴ Comp. *Horapoll.* I. 39, οἱ θεραπεύοντες δὲ τὸ ζῶον τοῦτο ἐν ταῖς κηδεύαις . . . ὡς ἐπὶ τὸ πλεῖστον σπληνικοί γίνονται κτλ. It is well known that the dogs in Egypt, Turkey, and Arabia are generally more or less infected with a kind of leprous eruption, since they are badly kept or rather unappropriated and masterless "from the Hellespont to the confines of Cochinchina"; see Ps. LIX. 7, 15; comp. *Harmer*, *Observat.* I. p. 344 ed. Clarke; *Rosenmüller*, *Naturgesch.* II. 95—99.

¹⁵ Comp. *Isai.* LXVI. 17.

¹⁶ *Burckhardt*, *Beduinen*, p. 50; see notes on XI. 5, ad *ῥῥ*.

¹⁷ *Niebuhr*, *Beschr.* v. Arab. p. 179.

living upon smaller birds, on reptiles and insects, as the eagle, the once-prized falcon, and the hawk, though young eagles and young hawks were recommended and eaten as delicacies¹, the fan-tailed kite, the buzzard, and the harpy; again, a portion of the order of incessores, as the raven tribe — the jay and the mag-pie, the jack-daw and the crow, and especially the ominous raven often seizing quadrupeds and feeding upon corpses²; many "running birds" (cursores), especially the edacious and desert-loving ostrich, unsparing of smaller animals³; and many "wading birds" (grallatores), mostly feeding on worms, insects, and grubs, snails, slugs, reptiles, and fish, as the bustard, heron, and the bittern, though other species of this order, if disdained at all, must have been objected to for different reasons, as the snipes (scolopacidae), plovers (charadriidae) and waterhens (rallidae), the crane eaten by the ancient Romans⁴, the stork valued as food by the Moslems⁵, and the ibis venerated in Egypt; some of the "swimming birds" (natatores), as the insatiable pelican⁶, which was extensively consumed in Egypt, though not by the priests⁷, and the cormorant⁸ inhabiting marshes and dreary solitudes⁹; and lastly, the whole of the shark tribe (plagiostomi), including the most voracious of all sea monsters, armed with rows of sharp, strong, and fearful teeth, the terror of the boatman, as the white, the hammer-headed, and the giant shark¹⁰, the latter reaching a length of forty feet, and the sawfish¹¹, with long serrated snout, a weapon formidable even to the largest fishes.

Corresponding customs or laws prevailed among nearly all ancient nations. The Hindoo "twice-born" were bidden to avoid all carnivorous and webfooted birds, all birds of prey that strike with their beaks, or wound with their talons, and those which dive and devour fish¹².

¹ *Aristot. Hist. An. VI. 7*, γίγνονται δὲ καὶ τῶν ἰσχυρῶν ἐκ νεοττοῦ ἰδύ-
κτων ἐφ' ὅσα καὶ πτόναι; *Albert. Magn. De Animal. l. XXIII. p. 614*, caro accipitris dulcis est et levis propter bonum nutrimentum quo alitur; *Sall. Trav. in Abyss. p. 152*; *Bechstein, Naturgesch. Deutschlands, II. 211, 221, 225.*

² See Comm. on Gen. p. 195. Crows with some white feathers are eaten by Mohammedans (*Niebuhr, Besch. v. Arab. p. 178*).

³ See notes on XI. 16.

⁴ *Celsus, De Medic. II. 18.*

⁵ *Niebuhr l. c.*

⁶ Probably *pelicanus*; Lev. XI. 18; Deut. XIV. 17; comp. Ps. CII. 7; see on Lev. XI. 18.

⁷ *Horap. I. 54.*

⁸ Perhaps *pelicanus* (Lev. XI. 18; Deut. XIV. 16).

⁹ Comp. Isai. XXXIV. 11; Zeph. II. 14; Ps. CII. 7. See notes on XI. 13 *sqq.*

¹⁰ *Squalus carcharias, zygaena malleus, and sq. maximus.*

¹¹ *Sq. pristis.*

¹² *Manu V. 11–14; Yājñav. I. 172–175.*

The rule prevails among the Mohammedans not to eat any animal which attacks men or tears human bodies, and they shun as food chiefly the lion and all other felinae, the fox and jackal, the serpent and scorpion, the frog and the turtle, and all birds of prey¹³. The Chinese alone have no religious law whatever with regard to food, and they eat any animal they fancy¹⁴.

Now when all the creatures hitherto pointed out were banished from the table, namely, those excluded as a matter of course, those spared for their utility as beasts of burden and draught, and those shunned from motives of physical antipathy and of health, or on account of their bloodthirstiness; there remained but comparatively few species of herbivorous quadrupeds, whether domesticated from time immemorial, as the ox, the sheep, and the goat, in their different varieties, or living peacefully and harmlessly in woods, valleys, or mountainous tracts, as the deer-tribe (cervidae) — the roe and the hart, the stag and the fallow-deer —, the antelope and gazelle still eaten by the Bedouins whenever they can insnare them¹⁵, the buffalo, the wild goat, the wild ox, and the chamois¹⁶; though cows, as is well known, were never touched by the Egyptians¹⁷, ostensibly because they were sacred to Isis, but really to prevent the breed of cattle from being diminished¹⁸; nor by the Hindoos, both for the reason just adduced, and because they furnish the sacrificial butter¹⁹; nor by most of the Phoenicians²⁰, the inhabitants of Tibet²¹, and others. Of birds there remained the domestic fowls (gallinacei or rasores), especially the pigeon-tribe (columbae) very numerous in Palestine²², though held inviolable in Syria and Egypt²³, nay even too holy to be touched²⁴; the cock declared sacred by the Pythagoreans, especially the white

¹³ Niebuhr l. c. pp. 178, 179. Plutarch (Quaest. Roman. 93) has preserved this line from one of the lost tragedies of Aeschylus, Ὀρνιθὺς ἕρπυς πῶς ἀν' ἀγνέσιος φαγών.

¹⁴ Comp. Lün-yü, Book I, c. X, § 8 (ed. Cramer, p. 113); *De Pauw*, Recherches, p. 169 (ils mangent des rats, des chauves-souris, des hiboux, des cigognes, des chats, des blaireaux, des chiens, etc.).

¹⁵ Burckhardt, Beduinen, p. 49.

¹⁶ Comp. Dent. XIV. 4, 5; see *supra* p. 58, note 8.

¹⁷ Herod. II. 41; *Porph.* Abst. II. 11, 61.

¹⁸ *De Pauw*, Recherches, p. 149; comp. *supra* p. 73, note 11.

¹⁹ Meiners, Gesch. der Relig. I. 217—219; Lassen, Ind. Alterth. I. 792; Mahabhar. Book I, in Goldstücker's Essay on Mahabh. p. 13.

²⁰ *Porph.* l. c.

²¹ Meiners l. c. p. 194.

²² See Comm. on Lev. I p. 80.

²³ Comp. *Porph.* Abst. IV. 7.

²⁴ Comp. Lucian, Syr. Dea 14, 54; *Plut.* Is. 74; *Euseb. Praep. Ev.* VIII. 14 (50); comp. however, *Herod.* I. 138; see Bochart, Hieroz. vol. II. lib. I. c. 5; *Selden*, De Diis Syr. pp. 271 sqq.; *De Pauw*, Recherches, I. 164.

species¹; whatsoever game-birds that were caught² or bred in the country, as the quail³, the partridge, and other birds of the same kind, of course if lawfully killed; and such swimming-birds as geese and ducks⁴. And of fishes were left the kinds not eel-like and not reputed for fierceness and voracity, and nearly all the species of the large order of the "soft-finned" (malacopterigii), and some of the "spiny-finned" (acanthopterigii)⁵. It was from these animals that the legislators deduced the criteria of permitted animals — rumination and cloven feet, scales and fins —, while they were satisfied with a simple enumeration of the forbidden birds, in which they probably discovered no common characteristics of a striking nature⁶. How difficult it was for the levitical writers strictly to insist upon abstract principles, and how imperiously they were swayed by existing usages, is proved by the fact that, while they rigorously and almost vehemently interdicted all insects as "an abomination" (γρῶ), they expressly, and even in opposition to the Deuteronomist⁷, made an exception in favour of four kinds of native locusts mainly feeding upon grass and succulent fruits, evidently because they found the custom of eating locusts deeply rooted in the nation, as it prevailed and still prevails in the countries adjoining the southern and eastern shores of the Mediterranean, in Libya and Egypt, Nubia and Abyssinia, Arabia and Syria, and elsewhere⁸: and generalising the criteria, they

¹ Comp. *Diog. Laert.* VIII. 34; comp. also *Lucian*, *Syr. Dea* 48.

² Comp. *Jer.* V. 27; *Hos* V. 1; VII. 12; *Ps.* CXXIV. 7.

³ Comp. *Num.* XI. 31, 32; *Ps.* CV. 40.

⁴ See *Comm.* on *Lev.* I. c.

⁵ See notes on XI. 9—12. Curious is the notion of Pliny with respect to allex or garum (XXXI. 8 or 44), aliud vero castimoniarum superstitioni etiam sacrisque Judaeis dicatum quod sit a piscibus squama carentibus, where probably non carentibus must be read, whether the mistake be the copyist's or Pliny's.

⁶ See *supra* p. 53.

⁷ See *supra* p. 59.

⁸ See notes on XI. 21, 22; comp. *Matth.* III. 4; *Mark* I. 6; *Herod.* IV. 172 (with respect to the Nasomenes, a Libyan tribe); *Plin.* VI. 30 or 35 (pars quaedam Aethiopum locustis

tantum vivit fumo et sale duratis in annua alimenta; hence called ἀπιδόματα, *Strabo* XVI. iv. 12, p. 772; VII. 2 (an Indian tribe); XI. 29 or 35 (Parthis et hae — locustae — in cibo gratae), 26 or 32 (gentes vescuntur iis — cicadis — ad orientem, etiam Parthi opibus abundantibus); *Diod. Sic.* III. 29 (with respect to the Ethiopians, ἐκ τοῦτου — sc. swarm of locusts — ἀνθρώποις τροφὴς ἔχουσιν ἀνατατόν βίον); *Ludolf*, *Hist. Aeth.* I. xiii. §§ 20—22 (suavis enim valde nec non salubris est cibus); *Michael*, on *Lev.* XI. 22; *Nicbuhr* I. c. pp. 171, 172; *Burckhardt*, *Beduinen*, pp. 375, 376; *Arabia*, p. 162; *Syria*, p. 382; *Kitto* on XI. 21; *Harmer*, *Observat.* II. 58; *Paxton*, *Illustrat. Nat. Hist.* pp. 117, 118; *Knob*, *Levit.* p. 456; esp. *Ritter*, *Erdkunde*, VIII. 789—815. The grasshopper was also eaten, especially to

declared lawful all winged insects provided with springing feet; yet in reality they desired to legalise no more than those four species; therefore, strictly taken, the rule is specious, and applies only to a few individual instances⁹.

But when the Hebrews, in rejecting bloodthirsty and carnivorous animals, had passed from physical to ethical considerations in their selection of food, they soon proceeded, by a simple and natural transition, to the strictly religious sphere, and connected the dietary rules with the notions of "purity" and ceremonial cleanness. It is from this point of view that we find those rules regarded in the Pentateuch, since the Pentateuch has preserved to us not the earlier but the most advanced stages of Hebrew theology. In that code the dietary precepts constitute an integral part of the levitical system; and they form an essential link in that lengthening chain of laws of purity which was intended to encircle and to control the whole life of the Hebrews. Then for the first time the terms "clean" and "unclean" animals were used not in a physical, but in a dogmatic or ethical sense¹⁰; for they were also applied to such beasts as the camel¹¹ which, clean, useful, and tractable, could from no external aspect be called unclean; gradually even much stronger expressions were chosen to describe an unclean animal, such as "abomination" and "horror"¹², expressions elsewhere used to brand the most heinous religious and moral offences, as idolatry and incest. For how could the later legislators, who so carefully regulated, and guarded against, even the slightest external contact with unclean things, be indifferent as to the objects which the worshippers of the Lord assimilated with their organisms¹³? And now the more conscientious among the Hebrews began to attach the utmost importance to "cleanness" of food. With a certain proud satisfaction Ezekiel exclaimed, "O Lord God! behold, my soul has not been polluted; for from my youth up even till now have I not eaten of that which dies of itself, or is torn by wild beasts, neither did abominable flesh come into my mouth"¹⁴. But while the

what the appetite (*Aristot. An. Hist.* V. xxx. 3; *Plin.* XXX. 8 or 21; *Athen.* IV. 10).

⁹ Comp. Lev. XI. 20—23, and notes *in loc.*

¹⁰ Gen. VII. 2; VIII. 20; Deut. XIV. 7, 11, 12, 19, 20; Lev. XI. 4—8, 24, 31, 35, 43; comp. notes on Lev. XI. 2—8.

¹¹ Lev. XI. 4.

¹² חַיָּה טְמֵאָה, Deut. XIV. 3 (לֹא יֵאָכְלוּ בָּהֶם); חַיָּה טְמֵאָה, Lev. VII. 21; XI. 10—13, 20, 22, 23, 41—43; טֶמֶא, Ezek. IV. 14.

¹³ See *supra* p. 94 note 5.

¹⁴ Ezek. IV. 14; comp. XXII. 26; Acts X. 14; XI. 8. See also *Richm.* Charakteristik der messian. Weissag. in Stud. und Krit. 1865, p. 428, who, however, attributes, with questionable justice, Ezekiel's remarks to

Deuteronomist simply declares certain creatures as "unclean", and only incidentally utters a warning against touching their carcass¹, the author of the corresponding section in Leviticus so carefully amalgamates the precepts respecting unclean animals with all the complicated principles of the ceremonial law, that his tendency and his later age are not only felt but can be convincingly proved. He more than once cautions against the slightest contact with the dead bodies of unclean animals²: "whoever touches the carcass of them shall be unclean until the evening"; "whoever bears ought of the carcass of them, shall wash his clothes and be unclean until the evening"³. He extends the same rigorous ordinances to clean animals that die of themselves or are torn by wild beasts; the touching of their dead bodies renders a man unclean till the evening; carrying them or eating of their flesh necessitates, moreover, the washing of the garments: "but if he wash them not, nor bathe his body, then he shall bear his iniquity". He enforces this law upon the native Hebrew and the stranger alike⁴, and thereby proves that he looked upon it and upon the whole circle of these commands in a thoroughly levitical light⁵. Nay he sets forth special regulations which, by their form and spirit, fairly rouse astonishment; for treating of eight species of animals considered particularly unclean, as the mouse, the mole, and the lizzards, he literally enacts: "Whosoever touches them when they are dead, shall be unclean until the evening; and upon whatsoever anything of them falls when they are dead, that shall be unclean, whether it be any vessel of wood, or garment, or skin, or sack, whatsoever vessel it be wherein any work is done, it must be put into water, and it shall be unclean until the evening and then it shall be clean; and any earthen vessel into which anything of them falls, whatsoever is in it shall be unclean, and you shall break the vessel itself. Of all food which is eaten, that on which water comes [in such earthen vessel] shall be unclean; but all drink which is drunk shall be unclean in such vessel of whatever kind; and every thing whereupon any part of their carcass falls shall be unclean, oven and stove shall be broken; they are unclean, and they shall be unclean to you. Yet a well and a cistern, any receptacle

his individual bias rather than the spirit of his time:

¹ Deut. XIV. 8.

² Lev. XI. 8, 11, ~~upon which~~, etc.

³ Lev. XI. 24—28, 31.

⁴ Lev. XI. 39, 40; XVII. 15, 16.

⁵ Yet the Talmud, in opposition to

the spirit of the Biblical ordinances, views the dietary precepts as entirely unconnected with the laws of purity; see against this view *Holdheim* in *Geiger's Wissenschaftl. Zeitschr.* VI pp. 51 *sqq.*; comp. *Spencer, Legg. Ritt.* I. vii. 2, p. 123; *Sommer, Bibl. Abhandl.* I. 246.

of water shall be clean; but he who touches their carcass shall be unclean. And if any part of their carcass fall upon any sowing seed which is to be sown, it shall be clean; but if any water be put upon the seed, and any part of their carcass fall thereon, it shall be unclean to you"⁶. Who can recognise in these trifling and playful enactments the broad simplicity of the earlier portions of the Bible? Who does not almost feel as if he were transported into the frigid atmosphere of Rabbinical casuistry? The plain and tangible principles of religious unity were worked out, at once trivially and laboriously, into a network of ritualistic minutiae which seem to bear the character of subsequent commentaries on old-established statutes, and which can only have originated when the free and noble teaching of the prophets had been silenced, and when the deadening influence of priestly rule had replaced a spiritual and life-like heart-worship by the monotony of a cumbrous ceremonialism⁷. Yet not even the most exacting levitism could presume to punish contravention with any penalty beyond temporary uncleanness⁸, whereas the eating of blood or fat was visited with the dire threat of excision⁹: later Rabbinism, however, ordained stripes for eating unclean food amounting to the size of an olive, and even for eating a much smaller quantity¹⁰. According to Manu, offences in diet are one of the principal causes that give death power even over the Brahman¹¹; they are no less heinous than the gravest moral transgressions, deserve the severest chastisement, and require repeated purifications¹²; nay, the "twice-born", to cleanse himself from the unconscious taint of illicit food, must

⁶ See Comm. on XI. 29—38.

⁷ The Rabbins prescribe washing before and after meals, benedictions and grace, etc. etc. (comp. *Orach Chajim* §§ 159 *sqq.*; Matth. XVI. 1, 2; Mark VII. 1—5; Luke XI. 38). Similar rules obtained among the Hindoos (*Manu* II. 52—57; IV. 62, 218—225; V. 36; *Yājñavalkya* I. 32, 106, 112, 114, 167—169), the Parsees (comp. *Spiegel*, *Avesta*, II. p. L), and others.

⁸ "Zum deutlichen Zeichen, dass man dies Verbot zu halten mehr dem blossen Gewissen überliess", observes Ewald (*Alterth.* p. 208).

⁹ *Keil* (*Archaeol.* II. 23) attempts an explanation of the difference by observing that eating fat or blood im-

plies "a contempt of the holiness of Jehovah", while eating unclean food is "only contempt of the vocation and mission of Israel"; but subtle and specious as usual, he lays exclusive stress upon the late levitical conception of the blood as the means of atonement, and disregards altogether its older and often urged character as the seat or principle of life; moreover, atonement through blood, no less than abstinence from unclean food, aims at the holiness of the Israelites, and not of Jehovah.

¹⁰ See the minute rules in *Maimon. De Cib. Vet. cc. II*; XIV. 1—5.

¹¹ *Manu* V. 4.

¹² *Yājñav.* III. 229; comp. *Manu* XI. 56.

annually perform one of the hardest penances devised by the Hindoo codes¹.

However, the significance of the dietary laws soon made the final advance, of which they were capable within the circle of Hebrew notions: from the levitical they were raised into the theocratic sphere; they were associated not merely with the idea of purity but of holiness, brought into direct relation with the sacrifices and their work of atonement², and converted into an instrument for elevating the life of the Hebrew by applying to it the Divine standard. This last and most important step was accomplished, in the Book of Leviticus, with a precision, clearness, and force bespeaking the most matured stage of religious thought attainable by the Hebrew mind within the Biblical times. The great principle was proposed, "I am the Lord your God; you shall, therefore, hallow yourselves, that you may become holy; for I am holy: nor shall you make yourselves unclean with any manner of creeping things that creeps upon the earth; for I am the Lord that brought you up out of the land of Egypt, to be your God; you shall, therefore, be holy; for I am holy"³. The regulations on food, regarded in so peculiar a light, were made a chief means of distinction between the chosen people and the pagans: "You shall put a difference between clean beasts and unclean, and between unclean fowls and clean, and you shall not make your souls abominable by beast, or by fowl, or by any manner of living thing that creeps on the ground, which I have separated from you as unclean; and you shall be holy to me, for I the Lord am holy, and have severed you from other nations, that you should be Mine"⁴. The same principle was applied to other kinds of unlawful food: "You shall be holy men to Me, therefore you shall not eat any flesh that is torn by beasts in the field, you shall cast it to the dogs"⁵; "you shall not eat of anything that dies of itself... for thou art a holy people to the Lord thy God"⁶.

¹ The penance of *prājāpatya*; *Manu* V. 21; comp. IV. 222.

² Comp. pp. 5, 12, etc.

³ Lev. XI. 44, 45, and notes in loc.; comp. XIX. 2; XX. 7; Num. XV. 40; 1 Pet. I. 15, 16; *Maim.* Mor. Nev. III. 33; also Lev. XV. 31; XVI. 16; XX. 8; XXII. 16, 32; Num. XIX. 13, 20; Deut. XXIII. 13—15; *Spencer* l. c. (sub *munditiæ illius exterioris figura legem Judæos ad puritatem vere sic*

dictam et divinæ conformem sectandam incitasse); *Jellineck*, Einleitung in die Thora, pp. 26, 27; *Hamburger*, Real-Encycl. I. pp. 508, 509.

⁴ Lev. XX. 25, 26; comp. Exod. XIX. 5, 6; see, however, Comm. on Lev. I. pp. 589, 590.

⁵ Exod. XXII. 30.

⁶ Deut. XIV. 21. See notes on Lev. XI. 44—47.

These conceptions, it is true, emanated obviously from great religious refinement, and seemed calculated to promote it in others; yet they were as obviously incongruous and exaggerated; for they unreasonably made the highest aims of the soul and the very essence of a holy life dependent upon such indifferent things as eating and drinking⁷. Hebraism, viewing man in the undivided unity of his bodily and spiritual existence, and anxious to stamp all his physical relations with Divine holiness, desired to make religious forms and piety identical. The object was praiseworthy and perhaps deserving the experiment. But it was a fatal, though often repeated mistake, to suppose that the Divine aspirations of man are strengthened by connecting them, through symbol or ceremony, with the routine of everyday life; on the contrary, they are sooner or later invariably lowered to the level of the latter, either by the blunting and benumbing uniformity of habit, or by a confusion of means and end in feeble or dishonest minds. Formalism inevitably engenders spiritual conceit, separation, and a sanctimonious contempt of others, who are supposed to stand on a lower level before God⁸. Thus later Jewish writings often express the idea that, as other nations are not singled out by God for "holiness" or eternal life, it does not matter if they eat the food to be shunned as abominable by the Hebrews⁹. Instead of vainly attempting to hallow life by a distinction of things externally clean and unclean, it is wise to take to heart maxims like these, "There is nothing unclean of itself, but to him that esteems anything to be unclean, to him it is unclean"¹⁰; or "The kingdom of God is not meat and drink, but righteousness, and peace, and joy"¹¹; and "Meat commends us not to God, for neither if we

⁷ Comp. *Justin. Mart.* Dial. c. Tryph. p. 237, καὶ γὰρ βρωμάτων τινῶν ἀπέχεσθαι προσέταξεν ὑμῖν ἵνα καὶ ἐν ταῖς ἐσθίαις καὶ πίνεσιν πρὸς ὀφθαλμῶν ἔχητε τὸν θεόν.

⁸ Comp. Acts X. 28 sqq.

⁹ Comp. *Midr. Rabb. Lev.* c. 13, אֲמַרְתָּם הֵטֵל שָׂאֵן לִי הַיֵּלֶם הַזֶּה; *Yalkut Shim.* c. 563, Habak. fol. 83^b, חֲדָשׁ הָאֵשׁ הַזֶּה; *Rashi* on Lev. XI. 2, לֹא שֶׁיֵּשׁ בָּהֶם בִּקְדֻשָּׁה; *Bechai* on Lev. XI fol. 27 ed. 1864, חֲדָשׁ הָאֵשׁ הַזֶּה לֹא אֲמַרְתָּם שֶׁבָּרָא הַשָּׁמַיִם... לֹא חֲדָשׁ הָאֵשׁ הַזֶּה; on Exod. XI. fol. 31^b, חֲדָשׁ הָאֵשׁ הַזֶּה שֶׁבָּרָא הַשָּׁמַיִם זֶה הוּא.

הַשָּׁמַיִם (Satan), like שָׂטָן and שָׂטָן; *Aramah*, Aked. Yitsch. c. 60 on Lev. XI. fol. 62^b ed. Frankfurt; etc.

¹⁰ Hebr. XIV. 14.

¹¹ Rom. XIV. 17, also vers. 2, 3, 14; comp. Luke XI. 41, "but rather give alms of such things as you have, and behold, all things are clean to you"; Matth. XV. 11, 17, 18, 20; Mark II. 16; Luke XI. 38; XV. 2; Hebr. XIII. 9, "It is a good thing that the heart be established with grace, not with meats, which have not profited those that have been occupied therein"; Col. II. 16, 17.

eat are we the better, nor if we eat not are we the worse"¹. We may be allowed to remind the reader of the saying of an old Gnostic, preserved by an opponent who fails to disparage its beauty by irony: "We are as little defiled by meats as the sea is defiled by tainted influxes; for as the sea becomes master over every fluid, so we become masters over all meats... The sea receives everything and refuses nothing, because it is conscious of its greatness... Thus meats have power only over small men; but those who have the fulness of liberty take in everything, and remain unpolluted"². Noble feeling, elevated thought, and self-denying deeds, the only Divine attributes in man, are both independent and unmindful of capricious and changeful forms. The command, "You shall be holy, for I the Lord am holy", is indeed a fine utterance, the worthy crowning stone of a laboriously developed system of religion, and a lofty ideal fit to aid man in his struggles against meanness and sin, and to nourish his longing for harmony of mind; but it can only be realised, though distantly at best, by vigilance, devotion, and energetic yet humble activity. Sanctity must result from sanctification through a pure, unselfish, and useful life, guided by truth, cheered by benevolence, and shielded by moderation.

Now it may be admitted that the dietary precepts of the Hebrews gain by a comparison with those of other eastern nations. They are simpler and less restrictive, and yet more systematic and more comprehensive³. They forbid no part of the vegetable creation⁴,

¹ 1 Cor. VIII. 8; comp. Mark VII. 15, "There is nothing from without a man, that entering into him can defile him"; 1 Tim. IV. 4, "Every creature of God is good, and nothing to be refused, if it be received with thanksgiving"; Acts X. 15, "What God has cleansed that call not thou common".

² *Porphy.* Abst. I. 42, οὐ γὰρ ἡμᾶς πολύνειται τὰ βρώματα ἀσπεροῦδε τῇ ὁδῷ λατταῖ τὰ βυκτὰ τῶν βουμάτων κτλ.; comp. *Bernays*, Theophrast's Schrift über Frömmigkeit, pp. 15, 16; see also *Manu* IV. 225, "the food of a liberal man is purified by his faith, but the food of a learned miser is polluted, because he does not believe what he has read." A glimpse of this truth is even discoverable in the

writings of the Rabbins, who declare that God will, in the time of the Messiah, render clean all animals that are considered unclean at present; comp. *Midr. Yelamd.* on Ps. CXLVI. 7, לֹא נִקְרָא כָּל הַדָּוָר טָמֵא כִּי יִהְיֶה עוֹלָם הַמָּשִׁיחַ; *Talk. Chad.* 99^b, § 36, הָיָה טָמֵא כִּי הָיָה לְחֵם לְעַמּוּלָא; *Alarb.* Rosh Emun. c. XIII, fol. 17^b ed. Altona, etc.

³ With respect to the regulations of the Hindoos, comp. *f. i. Manu* II. 52—57; IV. 62, 218—225; V. 5—10, 25, etc.; *Colebrooke*, Relig. Cerem. of the Hindoos, *Asiat. Res.* VII. 277; though they are not more minute and trifling than the later Rabbinical ordinances; see *infra*.

⁴ Comp. *supra* p. 66.

nor wine⁵, as the Mohammedan law does⁶. They are so well calculated to promote frugality, temperance, and health, that excesses in eating and drinking could be made amenable to the law⁷. They are the same for people and priests, with the unessential exception, that the latter had, during their ministrations, to avoid wine and strong drink, like the Nazarite during his time of sacred seclusion⁸; whereas the Hindoo "twice-born" and the Egyptian priest had exclusive laws intended to surround them with the halo of superior sanctity⁹. Yet the very distinction between "clean" and "unclean" animals involves a deplorable desertion of older and better notions; it dooms to aversion and loathing a great part, nay most, of those creatures which, after the work of the six days, God had declared "very good", in common with every other production¹⁰; it thus destroys the grand conception of the first cosmogony, which

⁵ Comp. Deut. XIV. 26; etc. Yet after the destruction of Jerusalem many Jews would not drink wine, because it could no longer be poured out on the altar as a libation (*Talm. Bab. Bathr.* 60^b); and in later Judaism, abstinence from wine was considered to become men of peculiar piety (*Maim. Mor. Nev. III.* 33, 48); while on the other hand, in seasons of danger and urgent distress, especially in times of war and for medical purposes, all animals and all kinds of food were permitted (comp. 2 Ki. VI. 25; *Maim. De Cib. Vet.* XIV. 13—17; De Regib. VIII. 1, ... הל"י בנא דמ"י ליה לאכיל גמלי ודמיון אי בנ"י דמ"י א"י דמ"י דמ"י; *Bechai* on Deut. VI. fol. 16); so also among the Hindoos (*Manu* V. 27, 33; *Yājñav.* I. 32, 33, 179), the Mohammedans (*Koran* II. 168; VI. 119, 145; XVI. 116), and others (*Lane, Mod. Egypt.* I. 131).

⁶ *Koran* II. 217; V. 92 (where wine is enumerated among the works of Satan); XVI. 69; comp. *D'Herbelot, Bibl. Orient.* p. 696; *Sale, Koran, Prelim. Disc.* pp. 87, 88; *Lane, Mod. Egyptians*, I. 130, 131; however, the Turks and Persians, and in war all Mohammedans, allow themselves

greater laxity with respect to wine.

⁷ Comp. Deut. XXI. 20, וְלֹא יִשְׂתָּהוּ (see, however, *Talm. Sanh.* 71^a); also Isai. V. 11, 12, 22; *Clem. Alex. Paedag.* II. pp. 139, 149 ed. Sylburg. The Hindoo law also enjoins "frugal fare" and eating "not to surfeit" (*Yājñav.* I. 112, 114). "Pythagoras forbade his disciples to pick up what fell from the table, for the sake of accustoming them to eat moderately" (*Diog. Laert.* VIII. 34); comp. also *Porph. Abst.* I. 49 *sqq.*

⁸ Lev. X. 9; Num. VI. 3, 4; see Comm. on Lev. I. pp. 700—702; comp. also Prov. XXXI. 6, 7; 1 Tim. V. 23.

⁹ The latter avoided, in the time of their lustrations, even salt and bread; comp. *Porph. Abst.* IV. 6, 7; *Plut. Is. cc.* 5, 7, 8, 32; *Manu* V. 5 *sqq.*; *De Pauw, Recherches*, pp. 102 *sqq.*; *Priault, Quaestiones Mosaicæ*, pp. 185—191; Comm. on Lev. I. l. c.

¹⁰ Gen. I. 31. Apologists as Krummacher (*Paragraphen zur heil. Gesch.* pp. 63 *sqq.*) and Hengstenberg (*Christol.* I. 39) try to evade the difficulty by declaring that "the whole of the animal creation, in its present condition, cannot possibly have been issued from the hand of God": but all

is upheld even in the Elohist's permission given to Noah to eat *all* animals whatever¹; and if it is not Persian in intent and origin², it is certainly almost Persian in result and effect; for though not coupled with the injunction of persecuting and extirpating the "unclean animals", it renders them in so far Ahrimanic as they are branded as an "abomination", and withdrawn from the unrestricted use of man who has yet been pronounced their unrestricted master³.

Why, then, were the levitical rules endowed with unchangeable permanency? Why was not every individual allowed to decide which creature is repulsive in his eyes and which not? Ought not advancing experience to be left free to teach, which animals are wholesome in each clime, and which injurious? And above all, do the symbols, once full of life and significance to remote generations, call forth the same truths and emotions in times distinguished by a different civilisation, progressing under very varied influences, and so decidedly working by discerning thought, and not by dark and vague emblems, that in the same measure as our wealth of ideas increases, the number of forms and symbols diminishes? Can these, after their connection with the spiritual principles which they once represented has ceased, still promote religion, that is, inward purity and noble zeal? And if not, what else are they but a slavish yoke, an unmeaning lumber, a clog to body and mind and soul, irrational in themselves, and strangely in contradiction to the intellectual achievements of our time? Can they, unfelt and dead as they are, work upon the heart by some unexplained miracle, merely by the force of faith — a supernatural notion always discarded by the philosopher, and at present rejected by the enlightened adherents of all creeds? Moral improvement cannot be attained without moral exertion, and lasting benefits can only result from truth, and not from delusions, however fondly cherished. If man derives the impulse for his actions, not from the living fountain of his reason and

the well-known attempts at explaining the deterioration, partially implying a dualism in the nature of the Deity, are without exception unscriptural.

¹ Gen. IX. 3; see p. 48.

² See *supra* pp. 67, 68.

³ Comp. Gen. I. 26, 28; IX. 2. It is futile to assert that "unclean" as applied to animals involves no degradation; see notes on Lev. XI. 44—47.

Orthodox interpreters who felt this, took refuge in the subtle distinction that the unclean animals are no abomination in themselves, but only in reference to man, and hence explain the addition of *עוֹבֵר* in XI. 10, 12, 20, etc. (see *Wesseli* in loc.): as if the Law were concerned about things in the abstract, and not in their relation to man, and about the influence they exercise upon the Hebrews.

his own ideal nature, but from the blind dictates of authority, however imposingly exalted, his morality is as unsafe as his belief; the one may be cold, narrow, and selfish; and the other, mechanical and unthinking, though perhaps earnest and devoted, is often hardly distinguishable from the darkest superstition. Abstinence from blood, fat, and the sciatic nerve, as the supposed seats or emblems of life, or from "unclean" animals as causing defilement of the soul, may once have had a religious force and reality, because a mysterious cosmic relation was supposed to exist between man and the whole animate creation: but from the time that the station and mission of man were more clearly defined and better understood, those rules could by no effort of ingenuity be any longer connected with religion or Divine worship; and they must be relegated into the sphere of expediency and personal option⁴. Thus meat cut out of a living beast has long been abhorred by all civilised nations; meat of animals that die of themselves, or are torn by wild beasts, is instinctively shunned as a matter of precaution or aversion; and seething the kid in its mother's milk is naturally avoided from motives of humanity, although these did not at first suggest the prohibition⁵.

The laws of food had indeed an important mission to fulfil, and they fulfilled it completely. In later periods of Jewish history, after the time of Alexander the Great, when the contact with idolatrous nations, and the familiarity with heathen, especially Greek, philosophy threatened to endanger the purity of monotheism⁶, the teachers and leaders of the people avowedly employed the dietary restrictions, infinitely increased and minutely worked out, as the most effectual means of checking the dreaded intercourse with

⁴ It is therefore difficult to attach any distinct meaning to the enigmatical remark of Hengstenberg (Bücher Mose's, p. 193): "In the circle of the Hebrew religion, such dietary laws only were possible, which, in spite of their formal repeal, last virtually to all eternity"; the idea may be eternal, but the symbol has ceased to exist after the "formal repeal" of the dietary laws. Comp. also the strange observations of Baumgarten (Theol. Comment. I. 160).

⁵ See pp. 9, 14, 20, 33. We leave here out of the question ordinances not

properly dietary, such as the prohibition of leaven on Passover; leaven and honey in connection with sacrifices; the produce of young trees during the first three or four years; the restrictions with respect to firstlings and firstfruits, and the like; comp. *Maim. De Cib. Vet. init.*

⁶ Comp. *Diod. Sic. Fr. XL. 3 s. fin.* πολλὰ τῶν πατρῶν τοῖς Ἰουδαίοις νομίμων ἐκινῆσθαι; hence the strong Talmudical interdict אִשְׁתֵּי מִלֵּי עֲרָבִים, *Talm. Sotah 49^b*; *Menach. 64^b*, which was, however, not acted upon in all periods.

foreigners¹. "Keep aloof", they enjoined, "from their bread and their oil on account of their wine, from their wine on account of their daughters, from their daughters on account of their idols"². They were induced to insist upon such commands the more rigorously, because they desired thoroughly to preclude the Jews from sharing the sacrificial meals of pagans, which were held in the deepest abhorrence³. They forbade them, in fact, to taste any food or drink whatever that had been prepared by heathens or in their vessels, or to use for religious rites any materials that had passed through heathen hands. We need only allude to the well-known instances of Daniel and Tobit, of Esther and Judith⁴, and point to the remarkable edict promulgated in the time of Antiochus the Great, "Let not any flesh of horses or mules or asses be brought into the city, whether wild or tame, nor that of leopards, or foxes, or hares, nor, in general, that of any animal which the Jews are forbidden to eat, nor let the skins of such animals be brought into the town, where, moreover, no such beast is to be bred up": contravention of this edict was punished by a fine of 3,000 drachmae of silver to be paid to the priests⁵. In addition to this, it will suffice to refer to the treatise of the Mishnah on Idolatry (*Avodah Zarah*), in order to perceive how infinitely precepts and precautions were multiplied⁶;

¹ It seems that already in the fifth century B. C., the eating of forbidden food (ἡγορευτά) was in Judea visited with severe punishment, which many evaded by fleeing into Samaria (*Jos. Ant.* XI. viii. 7). Kitto observes justly (notes on Lev. XI. 2): "A dietary law is far more efficient in its results, as a rule of distinction, than any difference in doctrine, worship, or morals which man could entertain".

² *Talm.* *Avod. Zar.* 36^b; comp. 35^b, 36^a.

³ See Comm. on Lev. I. pp. 213, 214; comp. *Exod.* XXXIV. 15, 16; *Num.* XXV. 1, 2; *Joseph.* *Maccab.* c. 5. Equally severe are the injunctions of Mohammed, *Koran* II. 168 (forbidding "that on which any other name but God's has been invoked"); V. 4; VI. 116, 118, 121, 146; XVI. 116; comp. *Sale*, *Koran*, p. 81; *Spencer*, *Legg. Ritt.* II. ix. 2, p. 338.

⁴ See *Dan.* I. 8—16; *Tob.* I. 10—12; *Addit. to Esth.* III. 11 (Sept. after IV. 17, *Vulg.* XIV. 18, though according to the Canonical Book of Esther, she did not scruple to eat with the King and Haman); *Judith* XII. 1—3; comp. *1 Macc.* I. 62, 63; *2 Macc.* V. 27; *Joseph.* *Maccab.* c. 5; *Mark* II. 16; *Luke* XV. 2; *John* IV. 9; *Acts* X. 28; and *supra* p. 87.

⁵ *Jos. Ant.* XII. iii. 4. Yet camels and horses, asses and dogs, were at all times kept, bred, and used by the Jews; see *supra* p. 75 note 10.

⁶ See espec. sect. II, IV and V, and the vast number of regulations in *Maim. De Cib. Vet.* III. 13 *seq.*; XI—XIII; *Yor. Deah* §§ 112—115, 118—138; comp. *Joseph.* *Vit.* 18; *Acts* X. 28, "You know that it is an unlawful thing for a man that is a Jew to keep company, or come unto one of another nation"; *Talm. Sanh.* 104^a,

till the Jews loaded upon themselves the invidious reproach, that "they alone among all men shun every intercourse with other nations, and look upon all as enemies"⁷; or that "they observe the strangest customs, and show no friendliness to anyone"⁸. The consequences were inevitable. Owing to their social seclusion, they were soon misunderstood and cruelly misjudged. Their civil laws and institutions, their habits and pursuits, their history and doctrines, were even by truth-seeking historians ludicrously and almost incredibly distorted⁹. At last a synodical decree expressly forbade all

"whoever invites a non-Jew into his house as his guest, and waits upon him, brings his children into misery and exile" ('כל הסוער נר לרוע בשר וכו') (Avod. Zar. 8^a (Jews eating together with a non-Jew as his guests, even if they have their own lawfully prepared food, act "as if they were eating of the sacrifices of the dead"); *Pirke Rabbi Eliezer* c. XXIX, ער אכיל נר חסידים (though recent editions, as that of Lemberg 1867, read instead ער חסידים נר חסידים (כאלו אכיל לרוע בשר וכו')). In a similar spirit, the New Testament commands, "If there come any unto you, and bring not this doctrine (concerning Christ), receive him not into your house, neither bid him God speed; for he that biddeth him God speed is a partaker of his evil deeds" (2 John vers. 10, 11).

⁷ *Diod. Sic. Fragm.* XXXIV. 1, μόνους γὰρ ἀπάντων ἰθύνων ἀκοινωνήτους εἶναι τῆς πρὸς ἄλλο ἔθνος ἐπιμειξίας κτλ. *Philostr.* Apollon. V. 33 (reproaching the Jews with a βίος ἀμικτός, and hatred of κοινὴ τράπεζα). What a chasm separates the teaching of an Isaiah from the Talmudical doctrine that all non-Jews are from their birth, and certainly from their earliest stage of puberty, to be considered as not less unclean than a man afflicted with a running issue! (*Talm. Av. Zar.* 36^b, 37^a; comp. *Lev.* XV. 1 sqq.).

⁸ *Diod. Sic. ibid.* μὴ δὲνὶ ἄλλῳ ἔθνεϊ

τραπέζης κοινωνεῖν μηδ' εὐνοεῖν τὸ παράπαν; comp. *Dion Cass.* XLIX. 22, τὸ γὰρ τοι γένος αὐτῶν θυρωθὲν πικρότατόν ἐστι; LXVIII. 32; *Joseph. Ant.* XIII. viii. 3, διὰ τὴν πρὸς ἄλλους αὐτῶν (sc. of the Jews) τῆς διαίτης ἀμειξίαν, to which Josephus naturally adds, πειθόμενος δὲ κατ' εὐσέβειαν πάντα ποιεῖν κτλ.; *Lysimach.* ap. *Joseph. c. Ap.* I. 34, "give no counsel to any stranger, but always advise them for the worst" (μήτε ἀνθρώπων τινὶ εὐνοήσῃν, μήτε ἄριστα συμβουλεύσῃν, ἀλλὰ τὰ χεῖρονα); see also *Philo*, In Flacc. c. 5 (with respect to the Egyptians, διὰ τὴν παλαιὰν καὶ τρόπον τινα γεγενημένην πρὸς Ἰουδαίους ἀπέχθειαν).

⁹ Comp. *Diod. Sic. Fr.* XL. 3 (ἀνδρῶν ὁπωπὸν τινα καὶ μισθόνον βίον εἰσὶν ἡγήσατο, sc. Moses); *Tacit. Hist.* V. 2—5, 13 (apud ipsos . . . misericordia in promptu, sed adversus omnes alios hostile odium; separati epulis, discreti cubilibus, etc.; Judaeorum mos absurdus sordidusque, etc.); comp. *Whiston's Josephus*, Dissert. III); *Justin.* XXXVI. 2 (caverunt ne cum peregrinis communicarent); *Flor.* III. 5 (illud grande impiae gentis arcanum); *Theophr.* ap. *Porph.* Abst. II. 26 (comp. *Bernays*, *Theophr. Schrift* ü. d. Frömmigk. pp. 109 sqq.); *Strabo* XVI. ii. 34—46 (ἐκ μὲν τῆς δεισιδαιμονίας αἱ τῶν βρωμάτων ἀποσχέσεις κτλ., § 37, although Strabo's account is almost singular, in its impartiality);

Christians to take any meal with the Jews, for the avowed reason that the Jews despised to eat with the Christians¹. These hostile prejudices, at which the student might smile, if the smile did not die away in his shudder at the hideous crop of hatred, oppression, and carnage, outlasted the ancient time and the middle ages, and will continue their mischievous work of retarding humanity and brotherly feeling, nay they may startle the civilized world again and again by sanguinary outbreaks of the populace, as long as the Jews cling to statutes which appear to them Divine, but which are nothing but the expression of the changeful customs of a distant age and a peculiar clime, and which, moreover, have been burdened and almost hidden by the rank over-growth of Rabbinical additions and misconceptions. The Jews cannot persevere in an isolation which, in the earlier centuries after their dispersion, was perhaps beneficial, because it enabled them to work out undisturbed the system of a pure faith, but which in our age of science and common enlightenment is sui-

Dion Cass. XXXVII. 17 (περὶ τῶν λοιπῶν ἀνθρώπων ἐς ταῦτ' ἄλλα τὰ περὶ τὴν διαίταν πάνθ' ὡς εἰπεῖν κτλ.); *Manetho, Apion*, a. o. ap. *Joseph. C. Ap.*, *Plut. Symp.* IV. v. 6; *Is.* c. 31; *Juven.* XIV. 96—106 (non monstrare vias eadem nisi sacra colenti etc.); *Cic.* Pro Flacc. c. 28 (huic autem barbarae superstitioni resistere etc.; in tam suspiciosa ac maledica civitate etc.; istorum religio sacrorum a . . . gravitate nominis nostri, majorum institutis abhorrebat); *Quinct.* III. vii. 21 (est conditoribus urbium infame, contraxisse aliquam perniciosam caeteris gentem, qualis est primus Judaicae superstitionis auctor); *Plin.* XIII. 4 or 9 (gens contumelia numinum insignis); *Rutil. Numat.* I. 383—398 (humanis animal dissociale cibus. Reddimus obscenae convicia debita genti. Radix stultitiae, cui frigida sabbata cordi, Sed cor frigidius religione sua est. Caetera mendacis deliramenta catastae etc.; adding almost prophetically, Latius excisae pestis contagia serpunt, Victoresque suos natio victa premit); *L. Ann. Seneca* Fragm. 42,

III. p. 427 ed. Haase (similar to Rutilius: quum interim usque eo sceleratissimae gentis consuetudo convalluit, ut per omnes jam terras recepta sit; victi victoribus leges dederunt); *Sueton.* Aug. 76; *Tib.* 36 (qui superstitione ea tenebantur etc.); *Apul.* Florid. I. 6 (Judaeos supersticiosos); *Amm. Marcell.* XXII. 5 (foetentium Judaeorum et tumultuantium saepe taedio percitus, dolenter dicitur — M. Aurel. — exclamasse: O Marcomanni! o Quadi! o Sarmatae! tandem alios vobis inertiores inveni); see *Comm. on Exod.* pp. XXV—XXXII; *Frankel, Monatsschr.* 1856, pp. 83—94; 1860, pp. 125—142; *L. Geiger* in *Hilberg's Illustr. Monatshefte* II. 13—25, 103—111.

¹ Omnes deinceps clerici sive laici Judaeorum convivia evitent, nec eos ad convivium quisquam accipiat, quia quum apud Christianos communibus cibus non utantur, indignum atque sacrilegum est eorum cibos a Christianis sumi, etc.; see *Eisenmenger*, *Entdeckt. Judenth.* II. 646, referring to *Jus Canonic.*, *Decret. Pars II*, causa 28, Quæst. 1, cap. 14.

cial perversion, and treason against the genius of history. And wherever a free social intercourse with their fellow-citizens has been rendered possible by the abandonment of an obsolete dietary code, they have been better understood, and, as an invariable consequence, respected and valued¹.

IX. SUPPLEMENTARY CHAPTER ON THE NEW TESTAMENT IN REFERENCE TO THE CEREMONIAL LAW.

As this subject is of considerable importance in the history of religion, and involves some disputed questions which have not always been approached in a spirit of impartiality, it may here, at the conclusion of so many ceremonial ordinances, be fitly discussed.

Neither Christ nor his immediate apostles abrogated the ceremonial institutions of "Mosaism"². Christ declared, "It is easier for heaven and earth to pass away, than one title of the Law to fail"³; "Think not that I am come to destroy the Law or the prophets, I am not come to destroy but to fulfil"⁴;

¹ Comp. *Philo*, In Flacc. c. 11, Op. II. 531, πότε δὲ οὐκ εἰρηγνικοὶ πᾶσιν ἐνομιζόμεν; etc.

² Comp. Matth. V. 23, 24; VIII. 4; XXIII. 18—20, 23; XXVI. 17—20; Mark I. 44; XIV. 22; Luke II. 22, 24; IV. 16 ("as his custom was, he went into the synagogue on the Sabbath-day"); V. 14; XI. 42; XXII. 7—15; XXIV. 53 ("they were continually in the Temple"); John V. 1; VII. 8, 10; Acts II. 1 *sqq.*; III. 1; XXI. 20, 26; XXIV. 17, 18; also Matth. III. 15; IX. 16 *sqq.*; XVII. 24 *sqq.*; Luke XVIII. 18 *sqq.*; see Comm. on Lev. I. pp. 59, 60; *H. Grotius*, De Verit. Rel. Christ. lib. V, cap. 7 ("Ab Jesu in terris observatam legem Mosis"); Wolfenbüttler Fragmente, ed. 1835, pp. 43, 44; *E. J. Meyer*, Verhältniss Jesu und seiner Jünger zum alttestamentlichen Gesetz, pp. 18—20, 82 *sqq.*

³ Luke XVI. 17; comp. Matth. V. 18.

⁴ Matth. V. 17, πληρῶσαι, *i. e.* to observe and enforce it completely, or according to its spirit; comp. Matth. III. 15; Rom. VIII. 4; XIII. 8 (ὁ γὰρ ἀγαπᾷ τὸν ἑταῖρον νόμον εκπλήρω-

σεν), 10 (πλήρωμα οὖν νόμου ἡ ἀγάπη); Gal. V. 14: such πλήρωμα is exemplified in the passages immediately following, Matth. V. 21—48 ("You have heard that it was said by them of old time . . . But I say unto you etc."); and it is already alluded to in Jerem. XXXI. 31—34 ("I will put My Law into their inmost minds, and write it upon their hearts"), and this is the "New Covenant" (ברית חדשה, ver. 31); comp. Matth. XXVI. 28, τὸ αἶμα τῆς διαθήκης; Hebr. VIII. 13; comp. John IV. 23, "The hour comes and now is, when the true worshippers shall worship the Father in spirit and in truth", 24, "God is a spirit etc."; 2 Cor. III. 6, "who also has made us able ministers of the new testament, not of the letter but of the spirit; for the letter kills, but the spirit gives life"; and esp. Rom. III. 31, "Do we then make void the Law through faith? God forbid: yea, we establish the Law" (νόμον ἱσχυροῦμεν). Other acceptations of the term πληρῶσαι and of the whole verse see in *Fürstings*, Observ. Sacr. I. III. 5, vol. I.

and, "Whosoever therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven"¹. And the early apostles never ceased to blame Paul for teaching, that the converted gentiles were free from the burden of the Law². John, as his "Revelation" proves, knew no difference between Christianity and Judaism; he branded the least deviation from the old creed as an act of "the synagogue of Satan"³; he was implacable against those more liberal converts who disregarded the Mosaic marriage-laws, and partook of the flesh of heathen sacrifices; he called them Nicolaitanes whose deeds he hated, Balaamites who cast stumbling blocks before the believers, or followers of Jezebel who would be mercilessly destroyed⁴. "When from first to last the doctrine of the Church at Jerusalem was sternly levitical, it is quite incredible that Jesus ever taught his disciples the religious nullity of levitical ceremonies, and the equality of gentiles with Jews before God"⁵. Long after the reported resurrection and ascension of Christ, Peter protested solemnly, "Nothing common or unclean has at any time entered into my mouth"⁶. Indeed, if Christ be considered as the Messiah predicted in the Old Testament and expected at his time, he can on no account be supposed to have repealed the Law, which itself declares to be unalterable for ever⁷.

pp. 204—211; *De Wette* in loc.; *Meyer*, l. c. pp. 3—8, 30, 31, 38—42, 69, 70, 76 sqq., 109 sqq., 117 sqq., 123 sqq. The view thus expressed and laboriously defended by the latter writer, "Jesus is come in order to do perfectly, that is to realise, all that the Old Testament intended by its prophecies and by its types" (p. 1; comp. p. 137), is very commonly adopted; but it is against the context, against the language, and against the tenour of Christ's teaching. The passage in its literal and correct meaning was deemed so offensive that some, as Marcion, simply declared it a spurious addition (comp. *Tertull.* c. Marc. IV. 7, Hoc — Matth. V. 17 — Marcion ut additumerasit; see *Meyer*, l. c. pp. 77); nay Strauss also has recourse to the same desperate expedient (*Leben Jesu*, pp. 212, 213, "die anstössigen Verse — Matth. V. 18, 19 — geben sich gradesu als ein Einschleissel zu erkennen", adding another conjecture or assertion "nicht in den Text unseres jetzigen Matthaeus, wohl aber in die Rede Jesu und vielleicht eine frühere Aufzeichnung derselben").

¹ Matth. V. 19.

² Comp. *Zeller*, Vorträge und Abhandlungen geschichtlichen Inhalts, pp. 203 sqq., 228 sqq.

³ Revel. II. 9; III. 9.

⁴ Revel. II. 6, 14, 15, 20—24; comp. *Zeller*, l. c. pp. 203, 214, 216.

⁵ *Francis W. Newman*, Against Hero-making in Religion, p. 11. On Luke XVI. 17 above quoted he observes (*ibid.* p. 12), "I am, of course, aware, that Christian theologians would have us believe that Luke is here defective, and that the words in Matthew 'Until all be fulfilled' mean 'Until my death shall fulfil all the types'; but this would make Jesus purposely to deceive his disciples by a riddle; . . . he must have known how he was understood; they supposed him to mean that Levitism was eternal, and he did not correct their impression." Comp. also *Maximi* Homiliae hyemales et aestivales, quoted by *Friedreich*, Zur Bibel, I. 232.

⁶ Acts X. 14; XI. 8; comp. *infra*.

⁷ In Gal. IV. 4, Christ is in fact called γενόμενος ὑπὸ νόμου (comp.

It is true, he appears occasionally to have opposed himself to ritual observances. When the scribes and Pharisees complained, that his disciples were transgressing the tradition of their forefathers⁸ by not washing their hands before meals⁹, and by plucking ears of corn and rubbing out the grains with their hands on the Sabbath-day¹⁰, he palliated this conduct by reproaching the Pharisees, in his turn, with a corruption of the Law, and he quoted what appeared to him apposite parallels taken from Hebrew history and the ordinary Temple practice, though the analogies are doubtful or imperfect¹¹; and later, he himself openly neglected the same ceremonies¹². He spoke lightly of the dietary rules, which in his time had grown so luxuriantly in Judaism. "Not that", he urged, "which goes into the mouth defiles a man, but that which comes out of the mouth, this defiles a man"¹³. This sentiment was incomprehensible to his disciples¹⁴; they considered it "a parable", which they desired to have explained; so far from their minds, nay so incredible appeared to them the idea of a total abolition of the levitical laws of food: but Christ reproached them with obtuseness¹⁵, and furnished explicit illustrations to prove that evil thoughts and other moral offences "are the things which defile a man, but to eat with unwashed hands defiles not a man"¹⁶. And when he had acted on this view, and was censured by a Pharisee, he pointed out, how little it availed "to make clean the outside of the cup and platter", while "the inward part was full of ravening and wickedness"; and he gave expression to this fine maxim: "But rather give alms of such things as you have, and behold, all things are clean unto you"¹⁷. He predicted to his followers that they were sure to suffer hatred and perse-

1 Cor. IX. 20). *De Wette* (on Matth. V. 17) remarks, "The question whether Christ intended to repeal the ritual law, disappears under our hands if, as is necessary, we understand both *καταλῦσαι* and *ἀλλυψῶσαι* in reference to the spirit and not merely to the letter: according to the spirit, that is, for the ends of devotion, Christianity has in reality *not* abolished the ritual law of Mosaism, but has rendered it more perfect"; and again (on Acts X. 13—16), "Christ did not repeal the ceremonial law rashly and arbitrarily, but left it to the progress of time to effect its removal." But these remarks beg the question, and are wanting in decision. Even orthodox Christians admit that "the disciples originally expected from the Messiah the observance of the Mosaic Law according to its letter", *E. J. Meyer*, l. c. p. 17.

⁸ *Τὰν παραβίασιν*; comp. Hebr.

XI. 2; not "elders" of the scribes or of the Sanhedrin.

⁹ Matth. XV. 1, 2; comp. Mark VII. 1—5.

¹⁰ Matth. XII. 1, 2; Mark II. 23, 24; Luke VI. 1, 2.

¹¹ Matth. XII. 3—6; Mark II. 25, 26; Luke VI. 3, 4; also Matth. XXIII. 16—22.

¹² Luke XI. 38; comp. XV. 2; Mark II. 16.

¹³ Matth. XV. 11; comp. *Talm. Shabb.* 33^b, *מאכל לא ידבר בלתי שטות*.

¹⁴ Comp. John XVI. 12 *sqq.*

¹⁵ Matth. XV. 16, *Ἀχρη, καὶ ὁμαίε δούτεροι ἐστέ.*

¹⁶ See Matth. XV. 11—20. A similar want of *γνώσις* on the part of the disciples appears with respect to the very nature and mission of Christ; see Comm. on Lev. I. p. 306 note 8; comp. also Luke XXIV. 25, 45; John II. 18—22; Acts I. 6, 7.

¹⁷ Luke XI. 37, 41; see p. 105; comp.

cution from the chiefs and rulers of the Synagogue, evidently on account of his more liberal doctrines¹. Nay, laying stress upon the words of Hosea, "I will have mercy and not sacrifice"², pointing to his own Messianic work, and insisting, that his authority was greater than that of the Temple, he plainly declared that he was "the lord even of the Sabbath-day", and was entrusted with the power of altering or spiritualising its celebration, since, as he significantly added, "The Sabbath was made for man, and not man for the Sabbath"³: therefore, he did not scruple to heal the sick on that sacred day, to the great scandal of his opponents, and he justified his conduct by the axiom-like question, "Is it lawful to do good on the Sabbath day or to do evil? to save life or to kill?"⁴.

Yet with all this he never meant to attack the validity of the "Mosaic" Law; he merely denounced its extravagant expansion by alleged traditions, to which his disciples, like the rest of the Jews, clung tenaciously, and which the Rabbins surrounded even with greater sanctity than the written Law itself⁵. "Take heed", he warned them, "and beware of the leaven of the Pharisees and of the Sadducees"⁶; for "they bind heavy burdens and grievous to be borne, and lay them on men's shoulders"⁷; while he declared, on the other hand, "My yoke is easy, and my burden is light"⁸. He did not oppose the Hebrew Law, which he considered, at least partially, efficacious for righteousness⁹; but he rose against the rigour of the zealots¹⁰, who had almost hidden its true meaning by casuistry and oppressive formalism. "You have made", he said to them reproachfully, "the commandment of God to no effect by your tradition"¹¹. Or if he opposed the Law, he did so merely because its narrow interpretation inevitably leads to sterile Pharisaism. He did not even impugn the ritual ordinances of the Pentateuch, because he seemed unwilling to endanger the force of the moral precepts with which they are coupled in the same code. In this respect, he differed little from the old Hebrew prophets, who insisted with fervour upon a religion of the heart, without thereby pronouncing rituals void or superfluous. "Woe unto you", he exclaimed, "scribes and Pharisees, hypocrites! for you pay tithe and mint and anise and cummin, and have omitted the weightier matters of the Law, judgment, mercy, and faith: *these ought you to have done, and not*

Matth. VII. 12; XXII. 36—40; also Gal. V. 14; James II. 8.

¹ Matth. IX. 15; X. 16—23.

² Hos. VI. 6; comp. Mark XII. 33, τὸ ἀγαπᾶν τὸν πλησίον ὡς ἐαυτὸν καὶ προσέτιρόν ἐστι πάντων τῶν ὀλοκαυτωμάτων καὶ θυσιῶν.

³ Matth. XII. 6—8; Mark II. 27, 28; Luke VI. 5.

⁴ Matth. XII. 10—13; Mark III. 1—5; Luke VI. 7—10; comp. also John V. 9, 16, 18; VII. 23; IX. 16; Luke V. 33; XIII. 14; XIV. 3, 4; Acts VI. 14; Matth. IX. 10—13; XI. 11.

⁵ See p. 38.

⁶ Matth. XVI. 6—12.

⁷ Matth. XXIII. 2—4.

⁸ Matth. XI. 30; comp. 28, 29.

⁹ Matth. XIX. 17—21; Luke XVIII. 20—22; Mark XII. 28—34; comp. Luke XVIII. 9—14.

¹⁰ Comp. Acts XXVI. 5, κατὰ τὴν ἀκριβοστάτην αἵρεσιν . . . ἕως Φαρισαίου.

¹¹ Matth. XV. 3—6; comp. XXIII. 16—19. The objections that have been raised against this view, however dogmatically or speciously urged (comp. Meyer l. c. pp. 86—109), are not conclusive.

to leave the other undone" ¹². These words precisely describe the position he occupied in reference to the Law ¹³. Indeed, the earlier Karaites, as Anan, considered Jesus "as a true prophet for the heathens, and a wise teacher of the Law for the Jews", since to the former he preached the revealed Word, and the latter he tried to convince of the distortions which the Scriptures had suffered through arbitrary interpretations ¹⁴. By stating, in reply to a captious question, that "all the Law and the prophets hang" on the two commandments of loving God with all our power and of loving our neighbour as ourselves ¹⁵, he merely imitated a favourite device of Jewish doctors, whose ingenuity delighted in deducing the varied precepts of the Law from a few verses of the Bible. "The 613 laws", teaches the Talmud ¹⁶, "were communicated to Moses, viz. 365 prohibitions or as many as the days of the solar year, and 248 commands or as many as the members of the human body; then came David and comprised them in eleven precepts ¹⁷, later Isaiah in six ¹⁸, Micah in three ¹⁹, and finally Amos ²⁰ and Habakkuk in one ²¹. And in propounding the maxim, "All things whatsoever you would that men should do to you, do you even so to them, for this is the Law and the prophets" ²², he merely repeated, in a positive form, what Hillel, in negative terms, is said to have answered the heathen who desired to learn the whole Law in one sentence: "Whatsoever is hateful to thee, that do not thou to thy neighbour; this is the whole Law, the rest is only its interpretation; now go and learn" ²³. Yet who would assert that Hillel and the Talmudists repealed the ceremonial law, or considered it unimportant?

At first Christ desired his disciples not to preach to the Gentiles and Samaritans, but "rather to the lost sheep of the house of Israel" ²⁴, though later, after his resurrection, he is related to have commanded them to go forth to instruct and to baptize "all nations" and "the uttermost part of the earth" ²⁵. In the Sermon on the Mount, he had no other object but to contrast the teaching of the Pentateuch in its spiritual conception with the unprofitable and graceless adherence to the letter, which must lead to the danger of exchanging Divine doctrines for "the commandments" or "tradition of men" ²⁶. But he was far from questioning the "Mosaic" teaching itself. In

¹² Matth. XXIII. 23; comp. vers. 25—28; Luke XI. 42.

¹³ See Comm. on Lev. I. pp. 52—55.

¹⁴ Comp. *Fürst*, *Karäerthum*, I. 42.

¹⁵ Matth. XXII. 34—40; Mark XII. 28—34; comp. Rom. XIII. 8—10; Gal. V. 14; VI. 2; Jam. II. 8; 1 Tim. I. 5.

¹⁶ Maccoth 23^b, 24^a.

¹⁷ Ps. XV, "He that walks uprightly, and works righteousness and speaks the truth in his heart", etc.

¹⁸ Isai. XXXIII. 15.

¹⁹ Mic. VI. 8, "What does the Lord require of thee, but to act justly, and to love mercy, and to walk humbly with thy God?"

²⁰ Am. V. 4, "Seek Me and you shall live."

²¹ Hab. II. 4, "The just shall live by his faith."

²² Matth. VII. 12; comp. Luke VI. 31.

²³ *Talm.* Shabb. 31^a, יְהוָה אֱלֹהֵינוּ יִשְׁמְרֵנוּ לֹא יִשְׁמְרֵנוּ; comp. also *Aboth R. Nath.* cc. 15, 16, שְׁמַרְתָּ אֶת כְּלָמֶיךָ וְלֹא יִשְׁמְרֵנוּ. See notes on XIX. 18.

²⁴ Matth. X. 6, 7, see John IV. 22; comp., however, vers. 4 *seqq.*; Matth. X. 23.

²⁵ Matth. XXVIII. 19; XXIV. 14; Acts I. 8.

²⁶ Matth. XV. 9; Luke VII. 7 (*iv-*

substituting for the old law, "An eye for an eye, and a tooth for a tooth", the doctrine, "If anyone will sue thee at the law, and take away thy coat, let him have thy cloak also", he must have been aware that he was transferring a statute of a criminal code to the sphere of personal ethics, and that he was thus enabled to alter its spirit¹. In denouncing divorce except in cases of faithlessness², he did not annul the law of the Pentateuch which was framed in deference to "the hardness of heart" of the Hebrews, but he virtually repeated it, since the Pentateuch also permitted divorce only if the husband had found in his wife "some uncleanness" (טמא רב), that is, unchastity³; but he combated the prevailing doctrines which allowed divorce on many other and even trivial grounds⁴; and in support of his appeal he aptly quoted the words, "Therefore shall a man leave father and mother, and shall cleave to his wife, and they both shall be one flesh"⁵. And his recommendation not to swear at all does not contradict the previous injunction, that, if oaths are resorted to, they should be scrupulously just⁶. He mainly desired to warn

τάγματα ἀνθρώπων), 8 (παράδοσις τῶν ἀνθρώπων).

¹ As regards the injunction, "Who-soever shall smite thee on thy right cheek, turn to him the other also" (Matth. V. 39; Luke VI. 29), it could not easily be acted upon even by Christ or St. Paul; comp. John XVIII. 22, 23; Acts XXIII. 3; see also Matth. XXI. 19.

² Matth. XIX. 3—9; Deut. XXIV. 1.

³ Deuter. loc. cit.

⁴ For instance, "if the wife but spoils her husband's meal by cooking or salting it too much" (מִי שֶׁהָיָה לֵחֶם בִּישְׁתּוֹ וְשָׁלָהוּ יָדָהּ בְּלֶחֶם בִּישְׁתּוֹ), *Mishn. Gittin* IX. 10: so taught Hillel and his school, and so Talmudism finally decided; while the school of Shammai, in this point more lenient, admitted faithlessness as the only valid reason for divorce; nor is it likely that the Hillelites ever acted on their objectional view, which resulted from an exegetical error (stress being laid on יָדָהּ rather than on שָׁלָה); comp. *Talm. Gittin* 90^a, "whoever dismisses his first wife, over him even the altar sheds tears."

⁵ Questionable, therefore, is the remark of Strauss in connection with this subject: "Christus hatte das mosaische Gesetz auch über seinen rituellen Theil hinaus in seinen das sittliche Zusammenleben der Men-

schen betreffenden Bestimmungen für perfectibel, mithin für unvollkommen erklärt" (*Leben Jesu*, p. 211; comp. in general pp. 209—217).

⁶ Matth. V. 33—42. There are some passages which might appear to have some weight, but are unavailable for our argument on account of their indistinctness; for instance, the abrupt and almost fragmentary words in Luke XVI. 16, ὁ νόμος καὶ οἱ προφῆται μέχρι Ἰωάννου, ἀπὸ τότε ἡ βασιλεία τοῦ Θεοῦ εὐαγγελίζεται κατὰ; which seem to be reminiscences from Matth. XI. 12, 13 (see *De Wette* in loc.); or Christ's figurative remarks that it would be inappropriate for his followers to fast, in contrast to the Pharisees and the disciples of John (Matth. IX. 14—17); or his obscure declaration, differently interpreted in the New Testament itself, "that he was able to destroy the Temple of God, and to build it in three days" (Matth. XXVI. 61; Mark XIV. 58; John II. 19—22; Acts VI. 14): yet Strauss (l. c. p. 214) and others suppose these and similar expressions to prove that Christ considered it unfeasible to harmonize the old ceremonial system with those principles of an internal religion which he desired to enforce. Again, it is im-

his disciples, that, unless their righteousness surpassed that of the scribes and Pharisees, they would have no share in the kingdom of heaven⁷. In pursuing this end, he was so far carried away by his zeal as to state what, in itself, is not true, viz., "You have heard that it has been said, Thou shalt love thy neighbour⁸, and hate thy enemy"⁹; these last words do not occur in the Pentateuch, nor in any other part of the Hebrew Canon, and are absolutely against its spirit¹⁰; but he boldly added them, evidently because the Pharisees, taking the term "thy neighbour" (רֵעִי) in the sense of "thy friend", were inclined to conclude, by the rule of the contrary, that it was right to hate the enemy, especially apostates and heathens, the detested foes and snares of the Jewish faith¹¹.

In a word, Christ preached no antagonism to the Law; nay so anxiously watchful was he for its stability that, in order to protect it, he partially conquered the antipathy he felt against the exaggerations of tradition, and exhorted his disciples, "The scribes and Pharisees sit in Moses' seat; all, therefore, whatever they bid you observe, that observe and do"¹².

At first, Christianity meant belief in Jesus as the long promised and impatiently expected Messiah, and nothing else; it required from its followers

possible to draw any reliable inference from the facts, that the Evangelists mention no sacrifices on the part of Christ, nor allude to his having performed the regular pilgrimages to Jerusalem, and that he expelled the money-changers and cattle-dealers from the Court of the Temple (Matth. XXI. 12, 13; Mark XI. 15—17; Luke XIX. 45, 46; John II. 13—17); the *argumentum ex silentio*, precarious in any case, can least be employed with respect to narratives so incomplete as those of the Evangelists; and the expulsion of the money-changers and others may have been prompted by his knowledge or suspicion of fraudulent transactions; he may indeed have deemed these transactions unbecoming for the House of God, and therefore been anxious to remove them from its precincts altogether; yet we are not forced to admit that this involves a repugnance to the sacrificial service (as Strauss infers l. c. pp. 214, 215).

⁷ Matth. V. 20; comp. *Neyer*, l. c. pp. 62 *sqq.*

⁸ Having probably in his mind the words of Leviticus (XIX. 18), "Thou

shalt love thy neighbour (רֵעִי) as thyself."

⁹ Matth. V. 43.

¹⁰ Comp. Lev. XIX. 17; Exod. XXIII. 4, 5; also Prov. XXIV. 17, 18; XXV. 21, 22; Ps. VII. 5, 6; XXXV. 12, 13; XXXVIII. 21; CXLI. 5, etc.; see Comm. on Exod. p. 444, and notes on Lev. XIX. 17, 18. "Die Feindesliebe", observes Hupfeld (Psalmen, IV. 432), "ist dem Alten Testamente keineswegs so fremd, wie es nach einem bekannten freien Citate des Heilandes scheinen könnte." The authorised English Version gives in the margin as alleged parallels to the words "thou shalt hate thy enemy", the passages Deut. XXIII. 6, and Ps. XLI. 10: it is very difficult to see how these passages teach hatred of the enemy.

¹¹ Comp. *Lighfoot*, Op. II. 295; *Schöllgen*, *Horae Hebraicae*, pp. 42—45 (where, however, many of the analogies adduced from Rabbinical writers are uncertain and insufficient).

¹² Matth. XXIII. 2, 3. Comp. also *Geiger*, *Jüd. Zeitschr.* VI. 251 *sqq.*, "bei der ursprünglichen Entstehung des Christenthums hat kein ausser-jüdisches Element mitgewirkt."

baptism with that acknowledgment, and nothing more; and it established no distinctions from the old creed. Nay, even after Paul had uttered those great and world-reforming maxims, by which he hoped to reach and to unite the whole human family, "The Law was our schoolmaster (*καὶ δαγώγῃς*), but we are no longer under a schoolmaster"; "By the works of the Law shall no flesh be justified"; "The fruit of the Spirit is love, joy, peace, long-suffering, gentleness, goodness, faith, meekness, temperance; against such there is no Law"; "There is nothing unclean of itself, but to him that esteems anything to be unclean, to him it is unclean . . . The kingdom of God is not meat and drink, but righteousness, and peace, and joy in the Holy Ghost"¹: even after Paul had pronounced these and similar truths drawn from the depths of the human soul, obstinate efforts, well reflected in the Acts of the Apostles, were made to conceal and to interpret away his aversion to ceremonialism—efforts invalidated by every sentence in his authentic writings². And during centuries afterwards, the Church adhered almost fanatically to some of the dietary precepts, especially those concerning blood³; for it felt the necessity of guarding large sections of Christians against a relapse into common or Gnostic paganism⁴. For a long time, Paul stood nearly alone in his struggles for a purely spiritual faith. Peter indeed had a dawning conviction of the worthlessness of the Jewish laws of diet, and he expressed it by a vision, in which, as he described it, he saw a large vessel descending from the opened heaven, and filled with "all manner of four-footed beasts of the earth, and wild beasts and creeping things, and fowls of the air"; then a voice called to him, "Rise, Peter, kill and eat"; but he answered, "Not so, Lord, for I have never eaten anything that is common or unclean"; and the heavenly voice spoke again, "What God has cleansed, that call not thou common"; and when these speeches had been thrice repeated, the vessel was received again into heaven⁵: this vision was designed to overthrow the deep-rooted distinction between clean and unclean persons, or between Jews and Gentiles⁶, and that between clean and unclean food, which involved one of the chief points of contrast which separated the Hebrew and the heathen⁷. But Peter was wavering; he was deficient in courage and consistency; in public, and before adherents of the Law, such as the followers of James in Jerusalem, he was afraid to be seen sharing the meals of heathen converts; like Barnabas, he dissembled, and stooped to questionable compromises, which more than counterbalanced the feeble effects of his teaching⁸. To St. Paul, who severely castigated such

¹ Comp. Rom. III. 20; VI. 14; VII. 4, 6; VIII. 2 *sqq.*; XIII. 8—10; XIV. 14—23; Galat. II. 4, 16, 19; III. 11—18, 19—25; IV. 1 *sqq.*, 9; V. 1, 18, 22, 23; 1 Cor. VII. 19; VIII. 8; 2 Cor. III. 6 *sqq.*; Ephes. II. 15; Col. II. 14, 16; 1 Tim. IV. 1—4; see also Hebr. XIII. 9; Luke XVI. 16; John I. 17; Acts XV. 10; XVIII. 13—15; XXIII. 29; *Porphyr.* Abstin. I. 42; see p. 105.

² Comp. Acts XVI. 8; XVIII. 18, 21; XIX. 21; XX. 16; XXI. 20 *sqq.*; XXIII.

6; XXIV. 11, 17; XXV. 8; see *Zeller*, l. c. pp. 208—210; *Apostelgeschichte* (Stuttg. 1854) pp. 297 *sqq.*, 320 *sqq.*

³ See *supra* pp. 8, 9.

⁴ Comp. *Leyrer* in *Herzog's Real-Enc.* XIV. 610.

⁵ Acts X. 9—16; comp. XI. 5—10.

⁶ Comp. Acts X. 28; XI. 18.

⁷ See also Acts XV. 7—11, esp. ver. 10.

⁸ Gal. II. 11—16, "I withstood

IX. THE NEW TESTAMENT AND THE CEREMONIAL LAW. 121

faintheartedness and evasion, who made Jews and Gentiles alike partake of the Messianic salvation⁹, who declared the religion of Christ not to be the completion of the old faith, but an essentially new one, and for this purpose even spiritualised the doctrines of Christ, attributing to him, with unequalled self-denial, what was his own original creation¹⁰; to St. Paul, though wisely inclined to consider the external forms as things indifferent in themselves¹¹, the Christian world owes mainly its release from the chains of the dietary precepts and of ceremonialism in general¹². Indeed his teaching, confirming and enlarging that of an Isaiah and Micah, might be hailed as the corner-stone of a universal creed, had he not, in the fervour of his enthusiasm, unwarrantably idealised Christ's person, nature, and mission also¹³, and thereby given rise to a perversion of his own rational principles, and to a partial relapse into paganism.

Peter to the face because he was to be blamed, etc."

⁹ Ephes. II. 11—13; Rom. III. 29, 30; etc.

¹⁰ Comp. Gal. I. 12, 16; Col. II. 14; etc.

¹¹ Rom. XIV; comp. 1 Cor. VIII. 8.

¹² The accommodation advised by him with respect to eating meat of sacrifices offered to idols (1 Cor. VIII. 1—

13), was suggested by a judicious regard for the weak, and involved no abandonment of principle; see Comm. on Lev. I. p. 214; similarly IX. 19—23; Rom. XIV; comp. also Matth. XIX. 8.

¹³ Comp. 1 Cor. VIII. 6; Rom. III. 22—26; V. 6 *sqq.*; XIV. 9, 10; Gal. IV. 4, 5.



TRANSLATION AND COMMENTARY.

CHAPTER XI.

SUMMARY. — *On clean and unclean animals.* God permits for food, as clean animals (כִּיָּיִ), among quadrupeds, the ruminants with cloven feet (*bisulca ruminantia*), excluding those which, according to notions prevalent among the ancient Hebrews, are either only ruminants or only bisulcous, as the camel, the rock-badger (יָחִיב), the hare, and the swine (vers. 1—7); among fishes, those provided with fins and scales (ver. 9); among birds, all except twenty tribes individually enumerated (vers. 13—19); and among insects (שִׁחַיִּי יָחִיב) those furnished with springing legs, of which four kinds of locusts are specified (vers. 21, 22). All the other animals of land, water, and air are “unclean” (טָמֵא, vers. 5—8, 26—29, 31) or “an abomination” (טֵמֵא, vers. 10—14, 20, 23, 41, 42); their flesh is not to be eaten, nor their carcass (טֵמֵא) to be touched (vers. 8, 11, 26, 31, 36, 39, 43); whoever does the latter becomes unclean, and remains so till the evening (vers. 24, 26, 31, 39, 40, 43), and whoever carries their carcass or any part of it, must, besides, wash his garments (vers. 25, 28). Among the lower land animals eight species are singled out as particularly defiling, viz. the weasel (יָחִיב), the mouse (יָחִיב), and six kinds of lizards (זָחַל, יָחִיב, יָחִיב, יָחִיב, יָחִיב, and יָחִיב); their dead bodies render unclean not only the *persons* who touch them (ver. 31), but also the *objects* upon which they accidentally fall, such as utensils of wood or metal, garments or skins, which require cleansing by being left in water till the evening (ver. 32); if any part of their carcass falls into an earthen vessel, the contents of the latter become unclean, and the vessel itself must be broken (ver. 33), like ovens and stoves under similar circumstances (ver. 35); all food prepared with water and put into such earthen vessel is unclean; so also any beverage poured into such vessel, whatever its material (ver. 34); but wells and water pits into which such carcass has fallen, remain clean, though the carcass itself preserves its defiling impurity (ver. 36); clean also remains seed, if dry, but if moistened it becomes unclean (vers. 37, 38). — The touch of the carcass of a clean or permitted animal that has died of itself, renders unclean till the evening; carrying it, or eating of its flesh requires, moreover, washing of garments (vers. 39, 40). — Reptiles and worms, abominable and polluting, must be shunned as food unsuited for the chosen and holy people of a holy God (vers. 41—45). — A comprehensive formula, referring to the laws of clean and unclean animals, terminates the section (vers. 46, 47).

1. And the Lord spoke to Moses and to Aaron saying to them,

I. The first portion of Leviticus sets forth the principal statutes concerning sacrifices, and in natural connection with them describes the consecration of the Sanctuary and of the priesthood. We now enter upon the second great division of the Book, the laws of purity (ch. XI—XV). When the "kingdom of priests", as ideally conceived by the author, had been provided with the means of public worship and atonement, they were to be instructed how to attain and to preserve personal holiness, and how to strengthen holiness by purity. An atmosphere of religion was to surround every relation of practical life. Therefore, the laws of purity follow here in their appropriate place. To indicate the continuity of the narrative, the commands are addressed not to Moses only, but to Aaron also: the latter, as the appointed representative of the sacerdotal order, was principally concerned in the ordinances of purity; both he and the common priests were to be unstained when they entered the Sanctuary to perform their sacred duties, or when they were eating the sacrificial meals; it was their special duty to instruct the Israelites in the distinction between things clean and unclean (X. 10, 11); and they had to officiate at the offerings of expiation in cases of undesigned defilement (V. 2, 3). These are reasons enough, why the laws of sacrifice and priesthood should be supplemented by those of purity. Moreover, the arrangement of the details is, in this division, decidedly more regular than both in the preceding and following sections; indeed, with a few exceptions, it is systematic; it begins with purity in diet, advances to precepts on purity

of persons, garments, and houses, and treats of these subjects in intelligible and judicious subdivisions (comp. Part I. pp. XV. XVI. XXII). We lay no stress on the circumstance, that in the laws of sacrifice already allusion is made to "a carcass of an unclean beast, a carcass of unclean cattle, and the carcass of unclean reptiles"; and in general to "unclean things" and "the uncleanness of men, whatever their uncleanness may be wherewith a man defiles himself" (V. 2, 3; VII. 19—21): for anticipations of this kind must be expected, and could perhaps not easily be avoided, in so complex a code. We are, therefore, justified in supposing, that the whole of this portion was brought into its present order by the same compiler. However, it would be hasty to conclude, that it was entirely written by the same author; on the contrary, a careful analysis of its component parts reveals striking differences of age and conception, and proves, in these as in all other religious precepts, a gradual progress from simplicity to intricate ritualism.

The laws of diet fitly stand first. If the Israelite was, through purity, to be holy because his God is holy, nothing was more important than to regulate the food he takes and blends with his body; for the body, the depository of the Divine image of the soul, and reacting upon it, was deemed sacred; it was not to be mutilated or wantonly disfigured; much less was it to be profaned by its amalgamation with detestable nourishment. In this respect, the dietary laws have even a greater force than the ancient Hebrews probably ever imagined. For it is at present known that, by a constant change of matter carried on

in the human organism, "man is not merely a creature that *consumes* food, but he himself — with his skin and hair, his bones and brain, his flesh and blood — *is* nothing else but his own consumed and metamorphosed food". Precepts relating to various kinds of food, as fat and blood, חֵמֶה and חֵמֶה, are, in a desultory manner, scattered throughout the Pentateuch, especially the middle Books; but the ordinances on clean and unclean animals are here at once given fully and systematically; they comprise nearly everything that the Hebrew law ever fixed on the subject; and they leave but little doubt respecting their object and character. They follow, in general, the classification of the animal kingdom usual among Biblical writers (see p. 50); for, beginning with quadrupeds, they proceed to fishes, then pass to birds, and conclude with the "creeping things" (רֶמֶשׂ). Yet they cannot conceal the traces of considerable additions inserted at different periods. Let us take the corresponding precepts of Deuteronomy as a basis of comparison (Deut. XIV. 3—21). Premising the general principle, "Thou shalt not eat any abominable things", the Deuteronomist enumerates ten species of clean quadrupeds and states their criteria; he next describes the characteristics of clean fishes; advancing to birds, he permits "all clean birds", and specifies twenty-one unclean or prohibited kinds; he then unreservedly proscribes "every creeping thing that flies" (כָּל הָרֶמֶשׂ הָעוֹף), that is, all winged insects; and he finally forbids the flesh of animals that died of themselves (בְּחַיָּה), and seething the kid in its mother's milk, which, like the other commands, is introduced by him merely as a dietary regulation. If these comparatively simple injunctions are read by the

side of our present section, it will be found, that the author of Leviticus indeed retained the outlines of the earlier work, but that he materially enlarged, and in some respects completely modified them. (1.) In addition to unclean fishes, "the moving things" of the water (כָּל הָרֶמֶשׂ הַיָּם), including especially the crustacea, are pointed out as an abomination (ver. 10). — (2.) Of the winged insects, those with springing legs, or certain species of locusts, are expressly declared clean, and permitted for food (vers. 21, 22). — (3.) Among "the creeping things that creep upon the earth", the Reptiles, Spiders, and Worms are specially dilated upon as detestable, and then all "the creeping things" in general are similarly denounced (vers. 41—43). — (4.) Among the inferior habitants of the land, eight species are signalized as pre-eminently unclean, and guarded against in a manner unprecedented for scrupulous minuteness (vers. 29—38, see Summary). — (5.) Above all, the "uncleanness" which results from eating, carrying, or touching any part of the carcass of a forbidden animal, and the lustrations required to re-establish a condition of purity, are stated and insisted upon with an emphatic earnestness which strongly contrasts with the wording and the spirit of former enactments (vers. 8, 11, 24, 26—28, 31 *seq.*, 39, 40, 43—45). — (6.) Hence commands are inserted with regard to the flesh of *lawful* animals that died of themselves (בְּחַיָּה), but they are meant less as laws of diet than as rules of purity, since they refer not merely to eating, but also to carrying and touching such meat (vers. 39, 40). — (7.) The context is, in one instance, illogically interrupted by additional injunctions of purity concerning the carcass of the great land animals, which had

indeed been treated of before, but as it seemed to the reviser, not with sufficient fulness and rigour (vers. 26—28; comp. ver. 8).—(8.) In another instance, with respect to unclean fishes, an almost intolerable tautology is resorted to, reiteration being supposed to add force (vers. 10—12).

We are, therefore, compelled to conclude, that some original ordinances on permitted and forbidden food, probably those preserved in Deuteronomy, were by the subsequent compilers of the more stringent code of Leviticus supplemented and altered with a view of their closer association with the laws of purity, and their more complete union with the levitical system. Indeed the component parts of our section are so transparent, that they may not only be pointed out with safety, but be arranged in chronological order so as to exhibit at a glance the gradual growth of the principles which gave rise to the laws of diet.

PHILOLOGICAL REMARKS. — Following out the preceding suggestions, we may thus analyse our chapter, and describe its individual parts. (1.) It begins with the older precepts concerning quadrupeds, fishes, birds, and insects (עוֹר וְחַיָּה), vers. 2-20: so far the dietary ordinances are carried in Deuteronomy also, and agree substantially with those of Leviticus; but the latter, now entirely abandoning, or rather passing beyond, the earlier source, first enlarges upon the class of animals treated of last, the insects, and adds (2.) a supplementary rule in favour of edible locusts, vers. 21, 22; yet (3.) prohibits with enhanced severity all other insects as defiling, and prescribes careful lustrations, in case they are touched or carried, vers. 23-25. (4.) As now the aspect of purity was to be more strongly ur-

ged, besides that of diet, additional commands are inserted with regard to the carcasses of unclean quadrupeds (בְּהֵמָה), vers. 26-28. Then follows (5.) a series of regulations concerning a number of lower animals held particularly unclean, vers. 29-38, regulations so intricate and almost playful, that their spirit and very late origin cannot be mistaken. Moreover, (6.) distinct injunctions were deemed requisite on the polluting effect of the dead bodies of *clean* quadrupeds, vers. 39, 40; and lastly (7.), as until then the insects alone (עוֹר וְחַיָּה) had been mentioned of all "creeping things" (רֶמֶשׂ), the other classes also, especially the hated reptiles and the crustacea, the spiders and worms (עוֹר וְחַיָּה לְרֶמֶשׂ) were expressly proscribed and denounced; and it was chiefly with respect to these most abhorred and most repulsive creatures, that the ideas of defilement and of holiness were forcibly dwelt upon, vers. 41-45; after which a comprehensive statement of the object of the section brings it to a proper conclusion, vers. 46, 47. — A *logical* arrangement of the contents would yield the following order of the verses: (1.) The laws on clean and unclean quadrupeds, vers. 2-8, 26-28, 39, 40. (2.) On fishes and birds, insects, and other "creeping things", vers. 9-25, 29-38, 41-47. It is, hence, probable that the first portion (vers. 2-20) was concluded, and perhaps diffused, when the remarks on the defilement of unclean quadrupeds were added (vers. 26-28), for else the latter would no doubt have been inserted after the 8th verse; and that then the injunctions were again carried on to ver. 38, for else the two following verses (39 and 40), treating of quadrupeds and interrupting the laws on creeping things, would probably have been placed after the

28th verse. The former circumstance especially affords a welcome corroboration of the view which internal reasons have induced us to form, that the corresponding section of Deuteronomy (XIV. 4-21), mainly coinciding with the first portion of our chapter (vers. 2-20), constituted the groundwork of the levitical legislation on diet.—All attempts at reconciling the discrepancies pointed out are necessarily unavailing, except upon the principle of historical development. Ewald, assuming original harmony and logic in the arrangement, simply believes that “the words vers. 26-28 must be considered as transposed, and ought to receive their former place after the 8th verse” (Alterth. p. 206 note 1): but transposition alone, as has been proved, does not suffice to explain the peculiar composition of our chapter. Knobel (Comm. pp. 439, 461) supposes that “the Deuteronomist omitted the enactments with respect to the most unclean creeping things (vers. 29-38), because a prohibition regarding them appeared no longer necessary in his advanced time”: but the Deuteronomist had, according to the common view, which is shared by Knobel, no other object but to recapitulate and epitomise the legislation of the preceding Books; he could, therefore, make no arbitrary selection from his given materials; he would certainly not have suppressed ordinances so remarkable as those contained in the verses alluded to, had he found them in his sources, that is, had the Book of Leviticus in our present form been before him; for he would surely “in his advanced time” not have deemed superfluous those complicated rules about defilement which bespeak not a rude but a very cultivated stage of religious life, and which were subsequently

made the basis of even more intricate regulations: nor can the prohibition of certain reptiles, which were evidently eaten by surrounding nations, have appeared too elementary to a writer who found it necessary to inveigh against every form of idolatry, from the worship of the heavenly orbs to the burning of children to Moloch, against sorcery, divination, and witchcraft, and against every kind of unnatural abuse (comp. Deut. XII. 29—31; XIII. 7—18; XVII. 2—7; XVIII. 9—14; XX. 18; XXIII. 18, 19; XXVII. 15, 16, 20, 21). The verses under discussion are a deliberate addition of a levitical compiler writing considerably later than the Deuteronomist: as such alone can their wording and their spirit be understood and accounted for. But even the levitical compiler felt that he was powerless to abrogate, by an abstract command, habits rooted in the life of the nation; he was, therefore, induced to legalise the custom of eating various kinds of locusts; and adding this permission to the laws of Deuteronomy, he endeavoured to invest it with the appearance of intrinsic justification by pointing out distinguishing characteristics of those insects (see p. 100). That the custom existed already in the time of the Deuteronomist, needs not be questioned; but if we read his positive and unqualified precept, “Every creeping thing that flies is unclean to you, they shall not be eaten” (*ib.*, ver. 19), supposing that he thereby alluded to insects, we may well ask whether he did not deem it feasible to uphold this rule in its uncompromising strictness, and to exclude from the food of the Hebrews those winged devastators, upon which he could only look with feelings of aversion and dismay (see, however, on vers. 20-25). The later

levitical legislator, finding the attempt a failure, and possibly apprehensive that the unchecked transgression of the Law in one particular might injure its authority in general, preferred adapting it to the stubborn exigency of facts, the more so, as he must have been reluctant to limit the dietary resources of the re-established and not very prosperous commonwealth. A similar abandonment of an ideal principle in favour of practical considerations has been pointed out in another place (see Comm. on Lev. I. p. 42). From these remarks it will be evident, how unfounded is the view that the edible species of locusts are not alluded to in Deuteronomy on account of its "epitomising brevity" (*Riehm*, Gesetzgebung Mosis, p. 56; also Stud. und Krit. 1868 p. 359), and because "Moses did not intend to repeat every detail of the laws previously given" (*Keil*, Comm. on Lev. p. 80) — and yet Deuteronomy unnecessarily gives a specified list of the clean quadrupeds (see *infra* on vers. 2-8; comp. also *Graf*, Geschichtl. Büch. des A. T. p. 66); or because the matter did not appear "sufficiently important" (*Riehm*, Stud. und Krit. 1868, p. 380) — whereas the permission of locusts as food is a surprising deviation from a fundamental and very significant rule (see *infra* on vers. 20-25). It will suffice to point out the subterfuge prompted by apologetic perplexity, that Leviticus was written in the desert, where the locusts were indispensable to the Israelites as food, but Deuteronomy immediately before the conquest of Canaan, when those insects began to lose their importance for the immigrants (*Schultz*, Deuteron. pp. 83, 430; comp. *Ewald*, Alterth. p. 207) — as if the laws of the Pentateuch were intended for times of transition, and

the contingency of eating locusts in Palestine was impossible. And we may passingly mention the strange conceit that, as the insects share the curse of the earth to which they are mainly tied, they were to be manifestly subjected to man's dominion (*Baumgarten*, Comm. II. 157) — as if dominion is manifested by consumption only, and that idea could not have occurred to the Deuteronomist as well as to the writer of Leviticus (comp. also l. c. pp. 157, 158, offering a most specious and untenable analysis of the second part of our chapter, from ver. 24).

While a preceding command is addressed to Aaron only (X. 8—11), because it concerns the priests exclusively, the injunctions relating to clean and unclean animals are fitly communicated both to Aaron and Moses. It is both unnecessary and inadmissible to explain the first words of the chapter, "And the Lord spoke to Moses that he should say to Aaron" (*Rashi* on I. 1, a. o.); and it is futile to interpret the last words of the first verse (אֵלֶיךָ אָמַר), "that Aaron should say to his sons Eleazar and Ithamar", mentioned immediately before (X. 12 *sqq.*): אֵלֶיךָ, though not necessary after אָמַר, is its natural complement, "saying to them." — אֵלֶיךָ is written defectively for אֵלֶיךָ as in I. 2; Num. XIV. 28 (see Grammar II. § XXX. 5^b). — The construction אָמַר . . . אֵלֶיךָ requires no explanation in this place (see Gram. § I. 98. 5). It is difficult to see that the combination אָמַר אָמַר is more languid or redundant than אָמַר אָמַר, that it cannot be supposed in the earlier and fresher stages of the Hebrew language, and that, therefore, all the passages of the Pentateuch in which it occurs (Gen. XXXI. 29; XLII. 22; XLIII. 3; XLVII. 5; Ex. VII. 8; etc. etc.) are suspicious as later and spurious interpolations,

2. Speak to the children of Israel saying, These *are* the animals which you may eat among all the beasts that *are* on the earth. 3. Whatsoever is hoofed and is

or require the suppression of *אֲרָבָה* (comp. *Geiger*, *Jüd. Zeitschr.* IV. 27—35; V. 188, 189; VI. 159); the artificial interpretations which this view, carried out in detail, renders necessary, are little calculated to recommend it; breadth of expression is not unnatural in a primitive style; though the Pentateuch contains portions and additions of a very advanced period, the phrase *אֲרָבָה אַרְבָּע* cannot be employed as a decisive, it can hardly be adduced as a collateral, criterion of an interpolation; and it does not occur a single time in the Book of Leviticus, which embodies the latest revisions of the Pentateuch.

2—8. The law commences with the quadrupeds or great land-animals, whether of the domesticated or wild kinds (*בְּהֵמָה* or *חַיָּה*). It is content with giving the general rule for the permitted classes, and illustrating the prohibited species by a few examples. It does not, like the Deuteronomist (XIV. 4, 5), enumerate the former. This difference leads to a most interesting trace of the gradual expansion of the dietary precepts. Deuteronomy begins with stating the lawful kinds of quadrupeds, evidently attempting completeness, and then proceeds to deduce from the individual instances the general rule: our section dispenses with the detail, gives at once the general rule, but scrupulously explains it by several examples, in order to prevent any possible mistake. To the earlier writer the general rule is new, to the later author it is familiar. The former is more empirical, the latter is obviously more practised in speculative abstraction. Nay, in Deuteronomy, the

general rule (ver. 8) is so little in its place that it might almost be suspected as a subsequent insertion: for why was it necessary elaborately to enumerate all the clean quadrupeds, and yet to add, "every beast that is hoofed and has a two-cleft foot, and chews the cud, that you may eat"? The specification renders the rule superfluous, and the rule throws doubt on the completeness of the specification; both together are perplexing; either the one or the other would be sufficient. The levitical writer, more experienced and more circumspect, foregoes the detail; but so far from imperiling by this omission the spirit of his enactment, he preserves and protects it more effectually; for the ten names in Deuteronomy do not exhaust the quadrupeds legalised by the rule; they are simply the most common instances; they are not meant to exclude the various kindred species which are or may be known (comp. *Maim. De Cib. vet.* I. 8, 12). Moreover, the meaning of some of the Hebrew names is doubtful, of others it is obscure beyond the hope of identification. This applies in a still higher degree to the birds and the lower animals mentioned in a subsequent part of the chapter: the etymology is in many cases effaced or leads to no decided result; in the kindred dialects only a few of the words occur; and the ancient versions, often guessing rather than translating, offer little assistance. Who, then, can be surprised, that Jewish tradition, helpless and bewildered, took refuge in the view that God seized specimens of every kind of animals, and as He pointed them out to Moses, said,

cloven-footed, *and* chews the cud, among the beasts, that you may eat. 4. Yet these you must not eat of those that chew the cud, and of those that divide the

"This you may eat, and this you must not eat"; or, according to another conception, He permitted Moses to see them in revolving fire at the foot of His throne, and then the lawgiver, descending to the earth, caught animals of every species, and showed them to the Israelites, not only the great land-animals, "but also every single kind of the creeping things of the water, and every bird and insect and reptile" — and all this in the sandy and lifeless desert of Sinai, solely on the strength of the words, "*These are the beasts*" (חַיִּים רַקִּי) (*Siphra* 47^b ed. Schlossb.; *Talm. Menach.* 29^a; *Rashi* in loc.; comp. p. 23). But the apprehensions of later Judaism, which suggested this monstrous view, were gratuitous. The general character of the unlawful animals was clear from the undoubted species and from the criteria stated; a mistake was scarcely possible, and even uncertainty could not often arise: indeed the Jewish practice never wavered; if it admitted, for instance, the goose as lawful food, it acted doubtless in accordance with the spirit of the Biblical law, whatever fancied objections may be urged against that bird (*e.g.* by *Michaelis* on Lev. XI. p. 150).

"Clean" animals are indeed those permitted, "unclean" those prohibited, by the Law; but the words are not convertible; they are used as parallel, but not as synonymous or identical terms; and the epithets "clean" and "unclean" in reference to animals were never entirely divested of their original meaning. Though asses and horses, camels and dogs were kept by the Israelites, they were to a certain extent associated with the notion of

impurity; they might be turned to profitable account by their labour or otherwise, but in respect to food they were an abomination; this instinct was, in the course of time, considerably strengthened by religious ideas or doctrines; moral was joined to physical aversion, or the one was substituted for the other; the terms "clean" and "unclean" were from the natural removed to the spiritual sphere; and as regards most of the unclean, or at least some peculiarly detested animals, as the swine, later Judaism, combining both conceptions, prohibited even their very breeding or keeping, and pronounced it an unhallowed practice (p. 88). In a word, "unclean" is not merely a vague alternative for interdicted food; the designation partly retained its inherent force and original significance, and implied contempt or repulsiveness. To prove the contrary, a more fallacious argument could hardly have been used than this: "among all animals, man was the most unclean, that is, human flesh was to be eaten least of all" (*Michael. Mos. Recht*, § 202, and on Lev. XI; comp. also *Dathe* and *Rosenm.* on Lev. XI; *Kitto* on Lev. XI. 47). Is man unclean in the same sense as a prohibited animal? He may, under certain conditions, become temporarily unclean, but in the Pentateuch he is never pronounced or considered unclean by nature. Metaphors in poetical Books can have no weight in deciding a question of dogma (comp. Job XIV. 4). Indeed, while Jewish tradition proscribed as unclean all food derived from any species of forbidden animals, such as the milk of unclean quadrupeds or the eggs of unclean birds or

hoof: the camel, because it chews the cud, but does not divide the hoof; it *shall be* unclean to you; 5. And the rock-badger, because it chews the cud, but does not

fishes (though naturally not the honey of bees), it declared human milk clean, and permitted it even to adults, under condition that it be drunk from vessels (*Maimon. De Cib. Vet. III. 1—5; Yor. Deah § 81*). Eating human flesh was of course an abomination, but for very different reasons (*Yor. Deah § 79. 1*). That the clean animals are not identical with those fit for sacrifice, needs hardly be observed (see *Comm. on Lev. I. p. 78*); yet this assertion has not unfrequently been ventured, and has been coupled with very curious justifications of the logical arrangement of Leviticus: just as not all species of animals, contends one writer, are suitable for the altar, so are not all to be admitted to the table of the Israelite (*Salomon on ver. 2*) — as if the idea of connecting altar and table were of such early origin (see *Comm. on Lev. I. p. 62*); a portion of the sacrifices, triflingly propounds another divine, was to be eaten to promote the communion between God and Israel — therefore the laws of food follow properly after those of sacrifice! (*Gerlach, on Lev. XI. p. 404*).

On the erroneousness of the Biblical criteria of clean quadrupeds, and of the examples adduced, we have commented above (p. 53); the rule is illogical and the examples are fallacious; for non-bisulcate ruminants and non-ruminant bisulcates, are zoological fictions. Jewish tradition considers the instances of unclean animals named in our text — the camel, the hyrax, the hare, and the pig — as exhaustive, and assumes that they are the only species in the world possessing either of the two stated cha-

racteristics (*Talm. Chull. 59^a*): this view, which seems indeed to harmonise with the words of the Bible (vers. 4—8), is, from the facts pointed out, devoid of all foundation. Hence also the Rabbinical canon that "all ruminants are cloven-footed except the camel, and all cloven-footed animals are ruminants except the swine", though approaching the truth, does not reach it, because the two exceptions, taken for granted on the authority of our passage, are imaginary. Moreover, have the Biblical criteria intrinsic value for determining the animals destined by nature for human food? If clean creatures be those "of a higher, nobler, less intensely animal organisation", why did those tests exclude the horse, the elephant, and the camel? Is their organisation lower, less noble, and more intensely animal than that of the ox, the sheep, and the goat? It is well known that ruminants, though endowed with acute senses — great range of vision, singular power of hearing and smelling, and in most cases also remarkable swiftness of foot — are low in the development of the brain, can be "tamed rather than educated", show very little intelligence, and hardly any remarkable instinct beyond the selection of food and the avoidance of danger. Are they less "calculated to degrade the life of man and to render it more beast-like" than the noble horse or the "half-reasoning" elephant? The solid foot may be a formidable weapon evincing or engendering defiant ferocity; but are horns, generally found in bisulcate animals, less formidable for defence or aggression?

divide the hoof; it *shall be* unclean to you; 6. And the hare, because it chews the cud, but does not divide the hoof; it *shall be* unclean to you; 7. And the swine,

and does not the divided hoof of the hindfeet frequently inflict dangerous blows? Who would approach unarmed the bulky and untameable bison which fears neither wolf nor bear, and assails its enemies both with hoofs and horns? Or who would trust the infuriated bull or buffalo? (comp. *Aristot.* An. Hist. II. ii. 9; Part. An. III. ii. 1—3). Is indeed the divided hoof, which Aristotle declares to be a defect and a weakness of nature, a decisive characteristic, since there are species of pigs with solid hoofs? (*Arist.* De Part. Anim. III. ii. 4, τὸ διχῆλον κατ' ἐλευψιν τῆς φύσεως ἔστιν; see p. 57 note 15). If rumination "makes the impression of tameness", why was it disregarded in the patient camel that has neither a solid foot nor horns for savage attack? It is indeed exclusively restricted to herbivorous animals, and it may favour more complete digestion: for every one knows that the food coarsely bruised by a preliminary mastication, is first accumulated in the largest of the four stomachs, or the *paunch*, as in a spacious store-chamber; that it then enters into the second stomach, or the *honey-comb*, where it is at leisure formed into little balls or pellets, which the animal brings up again into the mouth to be re-chewed; that it passes next, in a soft and half-fluid state, into the third stomach, or the *manyplies*, to the right of the paunch, to be more fully reduced; and is lastly swallowed into the fourth, or the *reed*, to the right of the third, there to be finally digested by the acid gastric juice. But is the timid hare, which is *no* ruminant, not herbivorous? and is it

less inoffensive than even the cow or the ram? and does not its stomach, like that of ruminants, secrete rennet, which is held to be a proof of perfect digestion? (Comp. *Aristot.* An. Hist. III. xvi. 6, ἔχει δὲ πυστίαν κτλ.). In reality, the legislator simply confirmed and tried to systematise existing customs, the result of many ages, of climate, experience, and national life: how far he succeeded as regards accuracy, has been pointed out above (pp. 50, 59). All attempts at pointing out other reasons for the permission of some and the interdiction of other animals, are equally worthless, however they may differ in speciousness or ingenuity. Or are indeed ruminants preferable, because "chewing the cud presents the image of meditation"? And are cloven-footed quadrupeds more wholesome or more desirable nutriment, because "the undivided hoof betrays intractable stubbornness", considering that the horse belongs to the most docile creatures? Are the locusts more highly organised or less rapacious than many of the fishes and aquatic animals that were declared detestable? Yet they were expressly pronounced "clean" and permitted as food. This one fact suffices to decide the question if subjected to impartial enquiry.

The Talmud proposed additional criteria; it declared that clean quadrupeds are always distinguished by the absence of teeth in the upper jaw, and by such flesh beneath the hipbone as can be torn both lengthways and crossways: the former test the Talmud has in common with other ancient authorities (see p. 70); the latter, strange and fanciful in itself, is

because it is hoofed, and is clovenfooted, but does not chew the cud; it *shall be* unclean to you. 8. Of their flesh

invalidated by the circumstance that it is shared by the wild ass (*Talm. Chull. 59^a*). — It has been proved above that, according to Talmudical deductions, the clean domestic and the clean untamed quadrupeds (רְכֻשׁ and חֵרֵץ) differ from each other in several points of ritual; for the fat of the clean רְכֻשׁ is permitted as food, and the blood of the slaughtered clean חֵרֵץ does not require "covering" (see pp. 5, 13): it became, therefore, necessary to fix tests for the distinction of both classes, and they were derived from the formation of the horns; these must, in clean quadrupeds of the field (חֵרֵץ), be either forked (רְכֻשׁ וְחֵרֵץ), or notched in the manner of scales (רְכֻשׁ וְחֵרֵץ) and rounded off (רְכֻשׁ וְחֵרֵץ; see *Talm. Chull. 59^b*; *Maim. De Cib. Vet. I. 10*; *Yor. Deah § 80. 1*). How far these signs are decisive may be inferred from the following facts. We need only allude to the difference between "persistent" or permanent horns covered with a hard, nail-like substance, and "deciduous" or annual horns, or antlers, covered with a soft skin or "velvet." Antlers are only found in the males of the Cervidae or deer-tribe, with the exception of the rein-deer, both sexes of which are provided with them. As regards their shape, the antlers are either rounded or flattened; the former kind are peculiar to the species living in the temperate and tropical zones, as the stag, the roe-buck, and the wapiti, the latter kind to the deer inhabiting the coldest climates, as the elk and the rein-deer, "as if they were destined to be used by the animal, like shovels, in clearing the snow from off its food." — The antlers of the elk,

weighing 50 or 60 pounds when fully formed, are in the second year, when they are only a foot long, "dags" or "prickets" or simple dagger-shaped spikes; in the third year they are forked; and in the fourth somewhat flattened with a number of projections or "snags". Therefore, the Talmudical criteria of the horns are both incomplete and unreliable. Moreover, the text itself is doubtful, some, as Rashi, reading not רְכֻשׁ וְחֵרֵץ rounded, but רְכֻשׁ וְחֵרֵץ pointed.

The identity of three of the animals mentioned as possessing one of the two required criteria, is perfectly certain, both from the kindred languages and tradition, viz. the camel (לָמָּה), the hare (רַקִּיעַ), and the swine (חֵרֵץ); but the fourth — רַקִּיעַ — is the subject of much dispute.

The Scriptures afford but a slender clue. We learn from them only, that the animal "is by no means strong", and "makes its house", or "seeks refuge", on rocks. It is mentioned among the four creatures, which, though "little upon earth", are yet "exceedingly wise", or have remarkable instincts, the three others being the feeble ant which provides its food in the summer; the locusts which "have no king, yet go forth all of them in hosts", and the lizard which "takes hold with its hands, and is in royal palaces" (*Ps. CIV. 18*; *Prov. XXX. 26—28*). Conjecture has indeed a wide field if called upon to fix upon an animal not large and not strong, living, and building its nest, on rocks. Yet even these few hints suffice to exclude the Jerboa (*Dipus jaculus*) — a hare-like rodent, with very long hind-legs, and large, tufted tail — which has frequently been identified with

you must not eat; and their carcass you must not touch; they *shall be* unclean to you.

our *shaphan*, as it usually constructs its dwelling in sandy or gravelly plains and subterraneous cavities; and they point rather to a species of Hyrax, probably coinciding with the Wabr (𐤨𐤓) of Saadiah. The Hyrax or "rock-badger" (in Germ. Klippdachs or Schieferdachs) lives in the wild and stony parts of Africa and Asia, especially in Upper Egypt, Abyssinia, and the ridges of the Lebanon. It is a pachyderm of the size of a rabbit, attaining a length of 18 inches. It has dark, large, and vivacious eyes, with a singularly gentle and harmless, yet shrewd expression; a black and bare nose constantly moist; thick rodent teeth; a divided upper lip; and a soft, fine, and close skin kept scrupulously clean, greyish brown above and lighter below, yet changing into various other shades. Its short legs are provided with four small but broad toes in front and three behind, almost all enclosed in round and very thick hoofs, and with soft yet rough palms admirably adapted for safe and rapid climbing, but entirely unfit for digging in hard ground, or for hollowing out stones. A very short tail is almost hidden in the skin, and resembles that of the lamb, whence the animal is called by the Arabs "the sheep of the children of Israel" (نَمِيّ). The hyrax may often be seen basking in the warm sun, on the high ledges of mountains, or nimbly climbing and bounding along the sides of even the steepest and almost vertical rocks; but it disappears instantly in the clefts with ape-like and tremulous yells, upon hearing the faintest sound, and especially at the approach of a dog or of other animals, among which the leopard is its

most dangerous enemy. Yet, strange to say, the very sociable and gregarious creature lives peacefully together with such rapacious animals as the Manguste (*Herpestes zebra*) and the thorny lizard (*Stellio cyanogaster*). It leaves its stony heights and recesses only if these no longer afford herbage to satisfy its very keen appetite; then it descends into lower parts, though with the utmost caution, and escapes back into its accustomed and faithfully cherished abodes at the slightest suspicion of danger, which a remarkably acute sense of hearing enables it to discover. For it is entirely defenceless, incapable of offering resistance with its teeth or claws, though it endeavours to bite when caught. However, small and agile as it is, and above all so timid and weak that it is frightened away by the shadow of a flying crow, swallow, or pigeon, it belongs, according to Cuvier's careful analysis, to the same family as the elephant and the rhinoceros, and forms the proper link between these and the more slender rodents. Its flesh, which in whiteness resembles that of the young chicken, is eaten and much relished in the East, especially by the Bedouins in Arabia and in the Peninsula of Mt. Sinai, and by the Kafirs at the Cape of Good Hope, who employ, besides, the secretions (*Dassenpiss*, *Hyraceum*) as a remedy for certain nervous disorders; but it is scrupulously shunned by the Christians and Mohammedans in Abyssinia, where the animal is known by the name *Ashkoko*. A modern naturalist observes: "I saw the rock-badgers often graze at the foot of clefts; and I found that their habits are exactly

like those of ruminants: for having bitten off the grass with their teeth, they move the jaws like the bisulcates when chewing the cud; yet, though I have watched them very closely, I have never noticed that they masticate their food a second time" (*Brehm, Illustr. Thierleben*, II. 724). Just as with respect to the hare, appearance misled the Biblical writer to represent the Shaphan as "chewing the cud."

Concerning the quadrupeds not provided with both criteria, the Law ordains, "of their flesh you must not eat, and their carcass you must not touch" (ver. 8); that is, even if the animal is sound, and is slaughtered in the prescribed manner, its flesh ought not to be eaten, much less if it has died of itself, or has been torn by wild beasts; in any case, the flesh is "carcass" (כָּרֶסֶס) and "unclean." Its very touch is defiling — defiling in every respect and for all purposes, and not merely, as is asserted by the Rabbins, for entering the Temple, for touching sacred things, and eating holy or sacrificial meat. The injunction, repeated from Deuteronomy, but in our section strengthened by the addition "they shall be unclean to you", was meant to apply to all relations of life in general, and to be valid for all times. The laws of purity were not exclusively associated with the Temple and its service; Jewish tradition indeed looked upon them solely in such connection, and therefore declared them inoperative after the destruction of the common Sanctuary; but this view, prompted by convenience and expediency, militates against the spirit of the Biblical injunctions, and entirely effaces the peculiar character of the levitical legislation.

PHILOLOGICAL REMARKS. — The words חַי and חַיִּים are here (ver. 2) employed in their generic sense, in-

cluding the whole animal creation (see p. 50), and the verse in which they occur must be considered as a common heading to the whole chapter, corresponding to the equally comprehensive formula at the end (ver. 46). The heading is indeed less detailed than the conclusion, and might even be mistaken for an introduction to the laws on quadrupeds only (בְּחַיִּים); but we may explain this from the circumstance that the parallel passage in Deuteronomy, the source of ours, limits the first words indeed to the great land-animals (אֲנִי הַבְּרִיָּה, Deut. XIV. 4): the beginning, merely modified from an existing document, shows still the traces of the latter; while the conclusion is a free and full addition of the later levitical compiler. — It is of some importance, correctly to understand the meaning of the phrase חַיִּים חַיִּים (vers. 3 *sgg.*). The verb חַי (Isai. LVIII. 7), equivalent with חַיָּה (Lam. IV. 4) and חַיָּה, is *to divide*; therefore חַיִּים signifies properly *divided* or *cloven hoof* (Ex. X. 26; Ezek. XXXII. 13), and then *hoof* or *foot* in general, as that of the horse (Isai. V. 28; Jerem. XLVII. 3; Ezek. XXVI. 11; *Rashi* חַיִּים, plants); hence the denominative חַיִּים is simply *to have a hoof* (Ps. LXIX. 32), whether it be divided or not; this general sense belongs usually also to the combination חַיִּים חַיִּים (comp. vers. 5, 6), so that the text might allude to a class of animals as חַיִּים חַיִּים, and yet at the same time as חַיִּים חַיִּים חַיִּים (ver. 26), that is, animals that have hoofs (and not paws, as the cat, the dog, and the bear-tribe), yet "do not divide the division", i. e. are not cloven-footed; and if the meaning of *parted* hoofs is intended, חַיִּים חַיִּים is sometimes strengthened by the addition of חַיִּים חַיִּים (vers. 3, 7). Unquestionably, however, that phrase alone

denotes also "to have *parted* hoofs"; for the swine is in Deuteronomy (XIV.8) simply described as חֲסִידִים, although our chapter (ver. 7) adds חֲסִידִים שֶׁעַל שְׁנֵי מַחְסֵי; on the other hand, Deuteronomy (XIV. 7) alludes to cloven-footed beasts with חֲסִידִים מְחֻסְפִּים, whereas our chapter (ver. 4) omits the latter word; and חֲסִידִים always denotes "to have no *divided* foot" (vers. 4—6). It is, therefore, impossible to consider the two terms חֲסִידִים מְחֻסְפִּים and חֲסִידִים שֶׁעַל שְׁנֵי מַחְסֵי, if used together, to apply to such animals as the camel, the hoof of which is divided, but not so thoroughly that the division embraces both the upper and nether part (see *Rashi* on ver. 26; *Pfeiffer*, *Dub. Vex.* p. 294, *Michaelis* and *Rosenmüller* on ver. 3): in this manner some have tried to defend the correctness of the Biblical statement with respect to the camel חֲסִידִים אֵינֶם מְחֻסְפִּים (ver. 4); but these words are not even qualified by שֶׁעַל שְׁנֵי מַחְסֵי, they can, therefore, mean nothing else but "it has no divided hoof", and they cannot even be rendered "sed non habet ungulas ab utraque parte fissas" (*Dathe*). It is to be regretted if, in attempting to vindicate the statements of the Bible, its language is distorted in support of exegetical theories. — From these remarks it is easy to judge of the various translations that have been offered of the words חֲסִידִים מְחֻסְפִּים (ver. 3); most of them have erroneously "whatsoever parts the hoof"; so *Onk.* and *Jon.* (חֲסִידִים מְחֻסְפִּים), *Sept.* (καὶ ὅτι διχομήκει τὴν ὀπίσθιον ὀνύχην) and *Vulg.* (quod habet divisam ungulam, though in ver. 4 it has simply habet ungulam, and condenses in the whole of this section the Hebrew text inaccurately, e. g. vers. 33, 37, 42), *Rashi* and *Nachman.*, *Luther* and *Engl. Vers.*, *Mendels.*, *Johanson*, and *Cahen*, *De Wette* and *Knobel*, *Bunsen* and *Keil*, a. o.;

though some translate correctly "whatsoever is *hoofed*", as *Ebn Ezra* (חֲסִידִים מְחֻסְפִּים), *Rashb.* (חֲסִידִים מְחֻסְפִּים), and *Ralbag*, *Arnh.* and *Luzzatto* (fornito d'unglia), *Wesseli* and *Wogue*. — The sense of the following words חֲסִידִים שֶׁעַל שְׁנֵי מַחְסֵי certainly requires before חֲסִידִים the addition of שֶׁעַל שְׁנֵי מַחְסֵי which is found in Deuteronomy (XIV. 6), for it is just the characteristic of clean animals, that their feet should be parted into *two* divisions, and not into more, as the feet of those "that go upon paws" (ver. 27, חֲסִידִים עַל כַּף); that word is indeed reproduced in the Samaritan and Syr. Vers. and by the Sept. (ὅτι διχομήκει τὴν ὀπίσθιον ὀνύχην), it is found in 6 codd. of Kennicot, 3 of De Rossi, and other manuscripts (*Michael*, *Orient. Bibl.* II. 212, 213), and may by some chance or mistake have been omitted in our text. — *Targum Jonath.*, considering the addition necessary that ruminants are horned, inserts (in ver. 3) חֲסִידִים לֹא קִיִּין. — The passage in Deut. (XIV. 7) parallel to our 4th verse, has after חֲסִידִים מְחֻסְפִּים the word חֲסִידִים, which is certainly required by the context, since the two tests of clean quadrupeds mentioned in the 3rd verse are repeated in the 4th; and the Septuagint indeed adds here also καὶ ὅτι διχομήκει τὴν ὀπίσθιον ὀνύχην. — The second criterion חֲסִידִים שֶׁעַל שְׁנֵי מַחְסֵי (ver. 3) is added to the first by way of asyndeton, without the copulative, and has almost the character of an apposition or of a qualifying relative sentence, "whatever cloven-footed animal that chews the cud"; hence the greater force seems to rest on this latter as the fundamental test, which is indeed the more essential of the two, as it partially decides the internal organisation, the food, and the habits of the quadruped. — We might certainly translate, "all cloven-footed, *that is, all* ruminant

quadrupeds", and thus harmonise the statement with science: but this the clear detail which follows forbids. — The correct reading in the next verse (the 4th) is undoubtedly וְהַיָּבִשׁ , as all ancient versions render, not וְהַיָּבִשׁ , which some codd. of Kennic. and De Rossi offer, evidently misled by the following וְהַיָּבִשׁ ; yet in Deut. XIV. 7 a similar anomaly occurs, וְהַיָּבִשׁ . — The Wabr or Hyrax Syriacus (Germ. Klippdachs, Schieferdachs) is more and more recognised as the equivalent for וְהַיָּבִשׁ ; it is so understood by Buffon (Hist. Nat. XIII. 148), Bruce, Shaw, Seetzen, Oken, Laborde (Journey through Arab. Petr. pp. 106—109), Winer (Real-Wört. II. 507), Röddiger (in *Gesen.* Thesaur. p. 1467), J. Wilson (Lands of the Bible II. 28), Knobel, Bunsen, a. o.; comp. also *Brehm* l. c. II. 721—726. Even etymology and the kindred dialects seem to favour this view; for "the hiding animal" (from וְהַיָּבִשׁ or וְהַיָּבִשׁ *to conceal*) is the appropriate name of a creature excessively timid and instinctively retreating into fissures and caves at any unwonted sound or sight; and by the southern Arabs the Wabr (وَبْر) is called وَبْر i. e. وَبْر (*Fresnel*, in *Journal Asiat.* 1838, p. 514). — None of the older interpretations seems acceptable, whether וְהַיָּבִשׁ be taken as coney (so the Targum and Rabbins וְהַיָּבִשׁ or וְהַיָּבִשׁ , who fancifully connect *Shaphan* with *Spain* known as rich in rabbits, Syr. وَبْر , Abulwal., Luther, Engl. Vers., a. o.), or as Jerboa (وَبْر), the dipus (mus) jaculus (comp. *Brehm* l. c. II. 191—194; so *Vulg.* choerogryllus, see *infra*, Bochart — Hierozoic. I. pp. 1002—1017 —, Oedmann, Hasselquist, Dathe — mus ursinus —, Michaelis, Rosenmüller — Bibl. Alterthumsk. IV. 2. pp. 213—222 —, Gesenius, Zunz, Luzzatto, De Wette,

a. o.); or as Fenek (فَنَك Arab. Vers.), a sort of marten, the *Veverra aurita* of Blumenb.; etc. The Septuagint renders וְהַיָּבִשׁ in our passage by δασύπους ("rough-foot") or hare, and וְהַיָּבִשׁ by χοιρογρύλλιος , which, as Jerome observes, resembles both the mouse and the bear, and is, therefore, also called ἀρκτομύς . According to a Talmudical tradition, the translators avoided the familiar term λαγώς ; and they seem to have done so from fear of giving offence to their patron, king Ptolemy, a descendant of *Lagus*, by including among the unclean animals one so closely resembling his ancestor's name. The Talmud (Megill. 9^b) assigns a reason which is untenable; it contends that they wrote "rough foot" (וְהַיָּבִשׁ , so must be read, instead of וְהַיָּבִשׁ), and not "Arneveth" (אַרְנֶבֶת), because the latter was the name of Ptolemy's wife or mother; but supposing even that the word "Arneveth" recalled the sound of Berenice (who was neither the king's wife nor his mother), it could never have been employed in a *Greek* version. In twelve other passages, the translators were considered to have deviated from the original text for reasons of expediency; and it was, therefore, said, "The day when the Scriptures were translated into Greek, was as fatal for Israel as the day when the golden calf was made, since the holy text could not be rendered with accuracy" (*Talm. Sepher Torah* I. 9; *Mechill.* מֵכִיל , sect. 14, fol. 19^b ed. Weiss; see also *De Veil*, Transl. of *Maimon.* De Sacrif. pp. 449, 450). In Ps. CIV. 18 וְהַיָּבִשׁ is translated by λαγώς ; and it may be observed that, though Aristotle ordinarily uses δασύπους for hare, Pliny (VIII. 55 or 81) distinguishes it from *lepus*, taking the former probably as a particular species of hare. — We have already alluded to the unhappy

9. These you may eat of all *creatures* that *are* in the waters: all those that have fins and scales in the waters — in the seas and in the rivers —, these you

emendation of the Septuagint which renders כִּי מִלֵּלָה נִרָא הָאֵלֶּה, with reference to the hyrax and the hare (vers. 5 and 6), διὸ οὐκ ἀνάγει μὴ βορσισμὸν, and thus attempts to redeem the scientific accuracy of the Biblical statement by the addition of οὐκ (see p. 54). — An instructive instance, showing that a general rule may in Hebrew be expressed either by the participle, the future, or the past, occurs in vers. 4—7, viz. הָרִמָּה, הָרִמָּה, and הָרִמָּה (see Gramm. I. §§ 93. 3; 94. 7; 100. 5). In accordance with the breadth of style usual in the levitical legislation, the description of the camel, the hyrax, and the hare is repeated three times with all but identical words, "it chews the cud, but does not divide the hoof" (vers. 4—6); whereas the Deuteronomist, more concise in legal enactments, characterises the three animals in one common statement (Deut. XIV. 7). — הָרִמָּה (ver. 7), in pausa for הָרִמָּה, is most likely the fut. Kal of רָמָה (verb med. tsere, hence הָרָמָה past Kal, Deut. XIV. 8) *to draw* or *to bring up*, instead of הָרָמָה (which the Samarit. Codex has; comp. הָרָמָה Hab. I. 14), pathach being, in the second syllable, irregularly used for cholem, as in הָרָמָה (Prov. XXVII. 17), of הָרָמָה *to be sharp*, comp. also הָרָמָה, הָרָמָה, הָרָמָה, and הָרָמָה (Gram. § 62. 3; LXII. 3^a, ^b); it is less probably the fut. Niphal, though the kindred dialects use passive modifications in the same sense (Arab. حَرَّ IV and VIII, Syr. حَرَّ); but hardly the fut. Kal of רָמָה, which root does not occur in the meaning here required; the noun רָמָה with which that form is joined (רָמָה) is almost decisive in favour of the

first explanation; it is formed from the Kal of רָמָה, after the analogy of הָרָמָה, הָרָמָה, הָרָמָה, and other nouns derived from verbs רָמָה, and denotes "that which is brought up again", viz. from the (second) stomach into the mouth to be re-chewed, that is, the cud, exactly as the analogous nouns quoted have passive meaning, "that which is taken as spoil", "that which is devised" etc. Synonymous with רָמָה is the more usual phrase רָמָה *to bring up the cud* (vers. 3—6; Deut. XIV. 3—7), or elliptically רָמָה (Deut. XIV. 8, (וְלֹא רָמָה); Sept. ἀνάγει μὴ βορσισμὸν, which latter word, like the Latin rumen and ruminare, is also etymologically connected with the meaning *to draw* (μυρύνειν, ῥύνειν).

9—12. The regulations on quadrupeds are followed by those on fishes, or rather on aquatic animals generally. The Deuteronomist indeed seems to have the former alone in view; but our author, taking a more comprehensive range, includes all "creatures that teem in the water" (דְּרָכֵי הַמַּיִם), and all "living beings (חַיִּים) that are in the water" — the Seal- and Whale-tribes (pennipeda and cetacea), most of the Amphibia, as the Turtles, the Lizards, and the Frogs (chelonii, sauri, and batrachia), the Crustacea, Mollusks, Radiata, and the lower marine aquatics. Nor is this the only distinction between the earlier and the later Book. The law in Deuteronomy runs simply thus: "These you may eat of all that are in the waters — all that have fins and scales you may eat, but whatsoever has no fins and scales you may not eat; it shall be unclean to you." But our verses dwell upon the "abomination"

may eat; 10. And all those that have no fins and scales in the seas and in the rivers, of all creatures that people the waters, and of all living beings that *are* in

(*ypw*) of all unclean aquatics with a repetition meant to be emphatic, but so redundant, that ancient and modern expounders deemed it necessary to search for hidden and distinct meanings in the identical terms. The re-iteration, "They shall be an abomination to you: yea an abomination they shall be to you" (vers. 10, 11), was supposed to imply, that the Hebrews, till then accustomed to shun those animals from a natural instinct, were commanded to do so in future from a sense of religious duty (Michaelis, Wogue); or it was said to mark as unclean all food with which any part of those creatures has by chance been mixed, and to which they have imparted a taste (Siphra); or to warn the Hebrews not only against eating them, but also against profiting by them in any way (Targ. Jonath.). Is it necessary to remark that these and similar interpretations, solely prompted by the desire of investing pleonasm with some gradation or variety, are in no manner justified by the words or the tenour of the text?—The probable reasons why fishes with fins and scales were deemed more wholesome than those without both these organs, and why, therefore, in the course of time, the former kinds were pronounced clean, and the latter unclean, have been stated before (p. 52); nor need we point out again the notions and feelings which urged the rejection of other aquatic animals as loathsome or even detestable (p. 78). Jewish tradition assumed the existence of finless fishes, and prohibited the eel as unclean, erroneously supposing it to be devoid of scales (see p. 58). It fixed, moreover, additional crite-

ria. For it declared that clean fishes have a complete and continuous vertebral column (*שדרה* or *שדרה*), unclean fishes merely single joints united by a gelatinous cord; for this reason, it pronounced as unclean the cartilaginous fishes—the shark-tribe (*plagiostomi*) and the sturgeons with their caviare (*eleuthero-branchi*), the lamprey and the nine-eyed eel (*cyclostomi*); whereas it permitted as clean the osseous fishes with scales, especially of the order of "soft-fins" (*malacopterygii*), as the salmon and trout, the capellan and greyling, the herring, anchovy, and sardine, the pike- and carp-families, the cod, hake, and haddock, the sole, turbot and plaice; and so also the order of "spiny-fins" (*acantopterygii*), as the perch, the mackerel, and the tunny. Some Talmudical teachers asserted that "the unclean fishes are viviparous (*זריזין*), the clean ones oviparous", no spawn being found in the former; whereas others observed more correctly, that "both unclean and clean fishes throw out spawn; but the former species mature the young while the eggs are still in the parent fish [that is, they are ovo-viviparous]; whereas the latter leave the eggs to be developed in the sand" (*Talm. Avod. Zar. 40^a; Bechor. 7^b, 8^a*): these remarks, inaccurate in their sweeping generality, have a certain foundation in fact; for many of the cartilaginous fishes, and a few of the osseous species, as the anableps, a kind of loach, and the eel, are partially viviparous; while the ray is ovo-viviparous, since its eggs, black and parchment-like, flat, angular, and elongated at the ends, and called

the waters, they *shall be* an abomination to you: 11. Yea, an abomination they shall be to you; you must not eat of their flesh, and you shall have their carcasses in

"fish-mice", are matured in the interior of the fish, and their production nearly coincides with the birth of the young brood. — Again, the eggs, the roe, and the swimming bladder (אֵרֶבֶט) of clean fishes were considered to be oblong, but pointed at the one and rounded at the other extremity; those of unclean fishes either pointed or rounded at both sides alike. And lastly, the head of clean fishes was supposed to be more or less broad, that of the unclean kinds rather pointed at the end (comp. *Talm. Avod. Zar.* 40; *Rashi* in loc. and on *Nedar.* 30^b; *Yor. Deah* § 83; *Lewysohn*, *Zoolog. des Talm.* §§ 7, 15, 24, 303, 304). That these rather singular distinctions have no connection with the Biblical signs, and at best apply to individual instances only, needs not be pointed out. The Greeks and Romans more simply and more rationally considered fishes wholesome or unwholesome according to the places in which they usually live, whether in rivers or lakes, in stagnant, slimy, or muddy water, or the sea; and according to the nature and quality of their food, whether consisting of nutritious herbs or of putrid and weakly roots (compare *Galen. de Alimentor. Facult.* III. 25).

PHILOLOGICAL REMARKS. — Some, believing that the laws on fishes are introduced abruptly (וְכִי כִּן, ver. 9), have connected our verses with the preceding portion by the copulative ; (וְכִי כִּן, comp. ver. 13); this reading is found in the Samarit. text, and in one codex of Kennic., and it is rendered by the Sept., Syr., and Arab.; many codices and translations have

also in ver. 15 וְכִי instead of וְכִי (comp. Deut. XIV. 14), and וְכִי instead of וְכִי in vers. 12, 20, 42; (comp. Deut. XIV. 19); while others have in ver. 23 וְכִי instead of וְכִי (comp. *De Rossi* Var. Lect. I. 94—96): all these variations are of no moment whatever. — The generic term "water" (מַיִם) is subdivided into two parts, namely, the "seas" (יָם) and the "rivers" (נָחַל vers. 9; Sept. χειμάρροι winter-torrents, Vulg. stagna); hence to express the whole notion, the text uses either "water" alone (vers. 9, 10, 12), or "seas and rivers" alone (ver. 10), and employs the one parallel with the other (ver. 10); therefore the Masorites justly marked the second מַיִם in ver. 9 with the distinctive accent revia (Sept. inserts inaccurately in ver. 9 καὶ between ἐν τοῖς ὕδασι and ἐν ταῖς θαλάσσαις, and adds in ver. 10 unnecessarily ἐν τοῖς ὕδατιν; Vulg. in ver. 9 tam in mari quam in fluminibus). Yet the enumeration cannot be considered strictly exhaustive, and the rule of clean and unclean fishes applies of course to those also found in ponds, marshes, reservoirs, and the like (see *Talm. Chull.* 66^b, 67^a; *Ebn Ezra* in loc.). Moreover, this detailed division occurs in Leviticus only, and is not found in Deuteronomy, where מַיִם simply is used once (XIV. 9). — There can be no doubt as to the meaning of the two chief characteristics of clean fishes, זָנָב and רֵגְלֵי; the former (of uncertain etymology) is *fins*; it is rendered by Onkel. and Jonath. זָנָב (i. e. plate- or fringe- or wing-like appendages; comp. זָנָב and רֵגְלֵי; *Talm. Bab. Bathr.* 73^b זָנָב), and similarly by the Sept. πτερόγια and Vulg. pinnulae, and

geier), and the vulture, 14. And the falcon, and the kite after its kind, 15. And every raven after its kind;

cluded even the bat, which belongs to the mammalia; and those which dwell, or seek their food, near unclean places, such as marshes and morasses. The list, therefore, though not complete, does not leave us entirely without guidance, especially if we consider that all the birds mentioned occur probably in western Asia, and were eaten.

The Hebrews held in natural abhorrence the birds of prey — birds mostly dark and sombre in plumage; violent, fierce, and cruel; voracious and nearly insatiable; repelling by a monotonous and discordant voice; and above all armed with the most formidable weapons for attacking, grasping, and tearing their prey, — with the short, arched, hooked, and pointed beak; and the powerful and largely developed, fang-like talons, strongly bent and sharp. These characteristics eclipsed the remarkable attributes of many families of the class — their perfect structure, their wonderful eye and ear, their courage and strength, their surprising intelligence so conspicuous in the falcon-tribe, the mutual affection of the couples and their young; and in decrying their voracity, it was forgotten that it beneficently helps to destroy the pernicious hosts of rodents and insects, cleanses the streets of African and Asiatic towns, and thereby often averts pestilence.

1. The first bird named — *נֶשֶׁךְ* — is *the eagle*: this the kindred dialects, all ancient versions, and numerous allusions of the Bible raise beyond a doubt. It is true, the eagle is in some passages declared to feed upon carrion (Job XXXIX. 30; Prov. XXX. 17), and in one to be bald-headed (Mic. I. 16); but the common opinion

that the eagle consumes only what it has killed itself, and disdains dead bodies, has been proved a fallacy; and as it is the largest and noblest, one of the most highly endowed, and in fact the chief representative of its class, its name may be applied to other birds of prey also, such as the vulture. A few species only are found in Asia, as the "stone-eagle" (*Aquila fulva*), the strongest and boldest; the golden eagle (*Chrysaetos*), the swiftest and most agile; and the fish-hawk (*Pandion haliaetus*), the most expert fisherman, that forms the connecting link between the eagles and the kites (*Milvi*): a far larger number of varieties occur in other parts of the globe, as the imperial eagle (*Aqu. imperialis*), the much smaller screaming eagle (*A. naevia*), and the dwarf-eagle (*A. minuta*), in the southern and south-eastern regions of Europe; the rapacious hawk-eagle (*Pseudoaetus Borellii*), the mighty fighting eagle (*Spizaetus bellicosus*), and his smaller kinsman the crested eagle (*Lophoaetus occipitalis*), in Africa; the Urutaurana (*Pternura tyrannus*), and the fiercest and most dangerous of all, the Harpy (*Harp. destructor*), in South-America; and the arrow-tailed eagle (*Uroaetus audax*), in Australia. Eagles, especially young ones, are eaten by some rude Asiatic and African tribes, and esteemed as dainties (see p. 98); to the Hebrews they were to be an abomination, for they combine all the detested characteristics of the winged "robbers" or *rapalores*: "their young ones also drink blood, and where the slain are, there are they"; yet they were included among the marvels of creation described in the Book of Job (Job XXXIX. 27—30; comp.

16. And the ostrich, and the *tachmas*, and the sea-gull, and the hawk after its kind, 17. And the eared owl,

Exod. XIX. 4; Deut. XXXII. 11; see *Brehm*, *Illustrirtes Thierleben*, III. 402—406, 444—482).

2. With regard to the second bird — *ὄρνις* — the chain of proofs is sufficiently complete. The etymology — from *ὄρνις* or *ὄρνις* to *break* — leads to the *ossifragus*, and this, as we learn from Pliny (X. 3), was the Tuscan appellation for the *aquila barbata*, which can hardly be any other bird than the bearded griffin or *lammergeier*, belonging partly to the eagles and partly to the vultures, and therefore aptly called *gypætus* ("vulture-eagle"). Greek writers, from the earliest to the latest, mention it under the analogous name of Αἰγύπιος (*aiúpioc*) or "goat-vulture", which is by Homer employed as a metaphor for an impetuous warrior rushing headlong upon the terrified enemy (comp. *Hom.* II. VII. 59; XIII. 531; Od. XXII. 302; *Herod.* III. 76; etc.); it is identical with the Greek Phinis or Phene (*φίνις* or *φένις*, *Dioscorid.* II. 58; comp. *Hom.* Od. III. 372; XVI. 217; *Aristot.* De Mirab. p. 191 ed. Tauchn.), although in earlier times the Αἰγύπιος and the Phene were distinguished (*Hom.* Od. XVI. 217), the latter being supposed to protect and to feed the young ones deserted by the former (*Hom.* Od. XVI. 217; *Aristot.* H. An. VI. vi. 1). The bird could hardly have received a more fitting name than "bone-breaker". For in the first place, it delights particularly in the bones of vertebrates, and can subsist upon them almost exclusively; and then, it breaks or comminutes even the hardest of them in a powerful stomach secreting a gastric juice of a marvellously solvent force; moreover, when it finds that the bones are too large to be devoured, or de-

spairs of obtaining their marrow, it dashes them from a great height upon some well-selected pointed or projecting rock, and thus literally breaks them: the poet Aeschylus is supposed to have thus been killed by a falling tortoise. But the *lammergeier* is by no means that dangerous and rapacious robber it has frequently been represented to be by imaginative naturalists; it does not attack sheep, goats, or dogs, or any quadruped larger than a hare, since neither its beak nor its foot is very powerful; it never ventures to approach children, much less full-grown persons; it is, in fact, one of the most harmless species of its tribe; it is dreaded neither by shepherds nor their cattle; it peacefully shares with the vultures their carrion-feast, satisfied with the bones which they disdain; and it has had too long to bear execration for misdeeds which in reality are perpetrated by the fierce and pitiless stone-eagle. The root of the beak is surrounded by tufts of bristle-like feathers, which partially conceal the lower beak also, and may well be termed a beard. The body is strongly built but elongated, with a large head, short neck, and long and pointed wings. The plumage, which in the earliest years is almost entirely of a dusky brown intermixed with grey, gradually changes into black or dark-brown on the upper side, and yellow or white in the lower parts, occasionally with dark spots, especially at the breast. Its flight is extremely quick and even impetuous, without any flapping of the wings, and resembles in gracefulness that of the larger falcons. The silvery eye is unrivalled for power and penetration; not only the

and the frigate bird, and the night-owl; 18. And the cormorant, and the pelican, and the *racham*, 19. And

iris lies bare, but also the hard outer coat (sclerotica), forming a broad soft ring beautifully coloured. The sense of smelling also is singularly developed, but not so the brain, which is proportionately small and simple, and does not bespeak great intelligence. The lammergeier is, in fact, neither remarkable for his instincts, nor for strength and courage. It is found almost in all parts of the three old continents, though the European differ from the Asiatic and African species considerably in size and habits.

We shall for the sake of easier survey and reference insert the "Philological Remarks" at once after each bird, marking them by brackets.

[The name נֶסֶח is translated *ossi-frage* by the English Version, Bochart, Dathe, De Wette (Beinbrecher), Knobel, Fürst, and Bunsen; the etymological sense of "breaker" is rendered by Onk. נֶסֶח , Targ. Jerus. נֶסֶח , and Abusaid نسر , though it is difficult to say, whether they intended to point precisely to the *gypaëtos*; still more indistinct are the renderings of Jonath. נֶסֶח , of Sept. and Vulg. γρῦψ and *gryps*, Sam. Vers. נֶסֶח , Syr. נֶסֶח , and Saad. عقاب (a black eagle). Other translations seem unacceptable; the sea-eagle is included in נֶסֶח (Gr. Ven. $\alpha\lambda\iota\epsilon\iota\tau\omicron\varsigma$, Kitto, Luzzatto *l'aquila marina*, Knobel — on Lev. p. 448 — who fluctuates between sea-eagle and lammergeier); the vulture and the hawk are no doubt intended by the following names (Gr. Αἰγυψ , Boothroyd, Taylor, Luther *Habicht*); and the condor is only found in the high-lands of South-America (so Rosenmüller, and the translation of Onkel נֶסֶח has been understood "the bald bird"). In Spanish the lammer-

geier is also called "bone-breaker" (*queberanta huesos*; comp. the French *orfraye*); and German naturalists designate it promiscuously *Bartgeier*, *Bartadler* and *Bartfalk*, *Lämmer*, *Gemsen*-, *Gold*-, *Greif*- and *Jochgeier* (see *Brehm* l. c. III. 542—555).]

3. If any degree of systematic order may be assumed in our list, the next bird — נֶסֶח — is the *vulture*, since eagle, lammergeier, and vulture form the regular succession of tribes in the class of raptatores. The author of the dietary code could not possibly omit at once the largest and the most repulsive of unclean birds, which combines all their fierce and loathsome, without sharing any of their generous or kingly qualities. For even the least of the vultures is not smaller than an eagle of average size; baldness of a part of the head and neck gives them in most cases a hideous appearance; their flight, though slow, is remarkably persevering, ambitiously high, and perpetually roaming; in keenness of sight they vie with the most gifted of birds, and surpass them in power of smell. But their intelligence is not considerable: they are shy, but not prudent; irritable and violent, but not bold or courageous; sociable, yet by no means peaceful; combative and mischievous, yet cowardly; by turns indolent and tenaciously active; clumsily awkward, but nimbly vivacious if roused by the prospect of booty; greedy and ravenous, but capable of abstemiousness for whole weeks, — birds of strangely contradictory attributes. They are emphatically carrion-eaters, and rarely attack living prey; they delight especially in corpses of mammals, yet do not disdain birds, amphibia, and in-

the heron, the ibis after its kind, and the hoopoe, and the bat.

sects; their meals, from which they usually rise enveloped in dirt and bespattered with blood, present a scene of horrid strife and combat, of hideous clamour, tumult, and confusion. The species which the author had principally in mind, are probably the gyps ("Gänsegeier"), and the famous *Pernopterus stercorearius*, known under a variety of names, as the holy or Egyptian vulture, or "Paraoh's chicken", so often figured on the monuments of the ancient Egyptians, who regarded the bird with religious awe, not only because, as a most active scavenger, it saves the towns from pestilential epidemics, but because it was supposed to watch over its young with the most affectionate devotion during a hundred and twenty days in every year, and even, if necessary, to feed them with the blood of its thighs; it was, therefore, selected to express the notions of mother and merciful (comp. *Horapoll.* I. 11). More than any of its class, it resembles the raven by its form, the large and rather pointed wings, and the long but blunted tail; while the Greeks compared it with the stork, and named it accordingly (*ὀρνις λαργύς*; *Arist.* H. A. IX. xxii. 2). It is found in the southern countries of Europe, nearly in the whole of Africa, and in most parts of western and southern Asia, where it is eaten by some tribes, rejected by others. If its appearance be not quite so repulsive as that of some of the larger vultures—though the bald face of the small head, the projecting and bare crop, the dirty and untidy coat, form no attractive sight—it is utterly detestable for its loathsome habits, and especially for the kind of food it chooses (comp. *Arist.* Hist. An. l. c. ;

Plin. X. 3). Other species are never or rarely met with in western Asia, as the huge condor, and the gorgeously feathered Royal vulture (*Gyparchus*) principally found in the elevations of South-America, and the giant of the family, the "Ear-vulture" (*Otogyps*) frequent in Africa.

[It will be evident from the preceding remarks that *נֶפֶשׁ* can probably not be taken as "Sea-eagle" or *erne* (Sept. *ἀλυστορ*, Vulg., Michael., De Wette, Bunsen), nor ospray or fishhawk (Luther, Engl. Vers.), nor the eagle *melanaetus* or *valeria* (Bochart, Dathe, Fürst, Luzzatto), nor falcon (Targ. Jon. *נֶפֶשׁ רָע*, explained in Aruch *נֶפֶשׁ רָע*). Whether *נֶפֶשׁ* has any etymological connection with *רָע* strong (like the Latin *valeria* *Plin.* X. 3), must be left undecided (comp. Onk. *נֶפֶשׁ*, Sam. V. *נֶפֶשׁ*; Saadiah *נֶפֶשׁ*, a term opposed by Ebn Ezra, as signifying something that does not exist in reality, and explained by Kamus "the huge and fabulous gryph, which rules over the birds"). Nor is it possible to ascertain whether the Hebrews shared the opinion of some ancient nations that there are no male vultures, but only females, which conceive through the wind (comp. *Horapoll.* I. 11; *Aelian.* N. A. II. 46; *Plut.* Quaest. Rom. 93), and whether thus the feminine form *נֶפֶשׁ* is to be accounted for (comp. *נֶפֶשׁ* ver. 18 with *נֶפֶשׁ* in Deut. XIV; see *Brechm* l. c. III. 534—542, 555—585).]

4 and 5. As regards the next two birds, the *נֶפֶשׁ* and the *נֶפֶשׁ*, there can hardly be any reasonable doubt that they are meant for the *falcon* and the *kite*, which represent two other chief tribes of the raptiores, and which could not be passed over in our text. For the falcons (*falcones*), at once

the boldest and noblest of all birds, and the most perfectly organized of the birds of prey, subsist upon live animals which they seize with their talons; and though deserving admiration for their courage and agility, their rare intelligence and remarkable instincts, they belong to the worst and most sanguinary of robbers. And the chief representative of the kite-tribe (*milvi*), the hen-harrier (*milvus regalis*), a mean, unroyal bird, is ravenously voracious, eats small mammals and birds, lizards and serpents, frogs and toads, locusts and beetles; attacks young fowls and geese, pheasants and hares; and impudently robs even bolder birds, as falcons, of their prey; though by largely destroying noxious insects and the swarms of rodents, it is often useful to man. Both the falcon and the kite are, in a great variety of species (hence *קִיָּאֵ*), diffused over nearly all parts of the globe; and the etymology of the Hebrew names agrees fully with these equivalents.

[For the root *קִיָּאֵ*, applied not only to the impetuous and dartlike flight of birds of prey (Deut. XXVIII. 49; Jer. XLVIII. 40; XLIX. 22), but to the moving of God on the wings of the wind (Ps. XVIII. 11), admirably conveys the chief characteristic of the falcon (comp. *Brehm* l. c. III. 406—431); nor is the name *קִיָּאֵ*, from *קִיָּאֵ* or *קִיָּאֵ* to desire with greed, less appropriate for the insatiable and omnivorous kite (comp. *Brehm* l. c. pp. 482—502). The derivation from *קִיָּאֵ* in the meaning of *howling* or *crying out* — the *clamorous* bird — does not seem so striking; moreover, the root is never used in that sense throughout the O. T. The other identifications which have been proposed for *קִיָּאֵ* are *vulture* (Sept., Luther, Winer, Bunsen, Engl. Vers.), *kite* (Ar. Erp. *قيد*, Vulg. *milvus*, Bo-

chart, Dathe, Kitto, Knobel, Luzzatto nibbio), and *hawk* (Michael, Taylor); and for *קִיָּאֵ* *vulture* (Vulg.) or *falcon* (Bochart — Arab. *قيد* —, Gesen., Knob., Bunsen), *owl* (Ben Gannach, Saad. *قيد*), and *maggie* (Kimchi *קִיָּאֵ* *agasso*, *gazza*).]

6. The sixth bird — *קִיָּאֵ* — is unquestionably the *raven* with all its numerous species (*קִיָּאֵ*): how fully it deserves to be placed among the unclean birds on account of its shameless aggressiveness and immoderate edacity, needs not be repeated in this place (see Comm. on Gen. p. 195; comp. *Brehm* l. c. III. 334—371).

[The reading *קִיָּאֵ* (inst. of *קִיָּאֵ*) before *קִיָּאֵ*, which occurs in the text of Deuteronomy (XIV. 14), and is here expressed by many ancient versions, is the more appropriate, as the raven concludes the first third of the list, the birds of prey.]

7. The following name — *קִיָּאֵ* *קִיָּאֵ* — which begins the second portion of the catalogue, has by nearly all ancient versions been rendered *ostrich*, and there is no reason for questioning the correctness of this translation, which fully agrees with the allusions made in the Old Testament to the real or supposed habits of the bird. It is there represented to live among desolated ruins and dreary solitudes, and to make them resound with its doleful wails, and it is described as stupid (it is still an Arabic proverb “more stupid than an ostrich”), and as heartlessly indifferent to the fate of its eggs, leaving them in the sand to be hatched by the sun, or to be trodden upon by the beasts of the desert (comp. Isai. XIII. 21; XXXIV. 13; XLIII. 20; Jer. L. 39; Mic. I. 8; Job XXX. 29; XXXIX. 13—18; Lam. IV. 3). However, this last reproach is undeserved; it probably originated in the fact that the ostrich-hens, after having filled their nest with eggs

(for several hens lay in the same nest), deposit those which they lay afterwards apart at some distance, unmindful of what may become of them; but the birds bestow the utmost care upon the eggs in the nest; in some cases the male and the female sit upon them alternately; but more frequently the male in particular and even exclusively, while the one that does not happen to sit, guards the nest and procures the food; if the male leaves the nest for a short time, he carefully covers the eggs with sand; at intervals the female turns the eggs gently and cautiously, a process which is daily performed with great regularity. Nor do the parent birds neglect their offspring, of which they are tenderly fond, as even ancient writers testify (*Aelian*, N. A. XIV. 7). Accurate observation does not bear out the view formerly entertained that the eggs laid separately are meant either to satisfy the rapacity of intruders, or to serve as the earliest food of the young brood; for the ostrich has neither the intelligence for the one nor the forethought for the other. It is sufficient to know that the Hebrews regarded the ostrich as an unkind, dismal, and silly bird, and associated it, as perhaps even its Hebrew name implies, with the dreariness and the terrors of the wilderness; they may have been aware that it occasionally devours fowls and other small vertebrates, exactly like a bird of prey; they counted it, therefore, among the unclean animals, and shunned its flesh, which was eagerly eaten by whole tribes of Ethiopia, by large classes in India, and also by the Romans, who deemed ostrich-brain a peculiar delicacy; and it is still extensively eaten, especially in Arabia, and in the interior of Africa. The emperor Heliogabalus is curiously

reported to have said that "the Jews were bidden by their laws to eat it" (dicens praeceptum Judaeis ut ederent, *Lamprid.* Heliogabal. 28, 32; *Strabo* XVI p. 772; *Diod. Sic.* III. 28; *Aelian*, N. An. XIV. 7). Whether they considered the ostrich, as the Greeks did, as a sort of unnatural hybrid, half bird, half quadruped, cannot be proved (comp. *Aristot.* De Part. Anim. IV. 14). Though not found in Palestine itself, it is not rare in the Arabian, nor even in the East-jordanic deserts, where it may formerly have been still more frequent; for it is well known that the ostrich, eagerly chased by the Bedouins, has all but disappeared in districts where it once abounded.

[חֲסִידָה is probably "the daughter", that is, according to a common Oriental usage, the "inhabitant" of the desert (حسنة, like ابلو الصحارى "pater desertorum"), another name for ostrich (comp. *Michael.* Suppl. IV. 1127); some, connecting it with the Syriac חסר to be greedy, take it as the *gluttonous bird*, or with חס in the supposed meaning of howling or wailing (*Mic.* I. 8, etc.; comp. חס Job XXXIX. 13; *Sam.* חס חס). Though originally denoting the female bird, it is unquestionably used as an epicene (*Isai.* XIII. 21; *Job* XXX. 29; comp. *Chald.* חס חס vulture; the mascul. חס occurs in *Lament.* IV. 3; comp. *Ebn Ezra* on *Exod.* XXIII. 19); some indeed suppose that חס חס is the female, and the next name חס חס the male ostrich (as in *Arab.* ظيم "the impious", so *Bochart*, *Gesen.*, *De Wette*, a. o.); but it is not probable that the two sexes of the same species should have been forbidden separately. Nearly all translators have understood חס חס as ostrich, a few only render it, against all probability, by *owl* (so the *Engl. Vers.*, *Ful-*

ler, Oedmann, a. o.); comp. *Brehm*, l. c. IV. 522—534.]

8. As regards the next name — *עֵרָב* — we confess our inability to suggest an identification. Neither the etymology, which vaguely leads to a “violent” or “rapacious” bird, nor the ancient versions, which conflictingly render owl or swallow or the sea-bird gannet, allow a safe conclusion, and the opinions ventured by modern scholars can be no more than conjectures.

[The term *עֵרָב* has been taken as *swallow* (Onk. *עֵרָב*, Saad., Ar. Erp., Dathe, and perhaps Jonathan *עֵרָב*, though this word signifies properly *raptatrix* or robber); or *gannet* (Gr. Ven. *καταρράκτης*); or *owl* (Septuag. *γλαύξ*, Vulg., Luth., Michael., Oedmann *strix otus*, Winer, Bunsen); or *night hawk* (Engl. Vers., Kitto); or *falcon* (Luzz.); or *male ostrich* (Boch., Gesen., De Wette); or *cuckoo* (Knob.). But the whole list contains no such small and harmless bird as the swallow; the hawk, the falcon, and the ostrich, are mentioned before, and the owl and the sea-birds afterwards; and the cuckoo is simply a hazard, based on the belief that this bird ejects its foster parents from the nest, or eats their eggs and their young (*Arist. H. A. VI. vii; IX. xx; Ael. N. A. III. 30*).]

9. The following bird — *עֵרָב* — has by some ancient versions been rendered *sea-gull* (*larus*), and though this translation is not intrinsically cogent, it may at least be adopted as probable. The gulls have aptly been called the “ravens of the sea”; for in their nature and habits, they indeed resemble the ravens. Like these they are almost omnivorous, and their greed seems wellnigh insatiable. They do not only eat fishes and insects, but they devour all smaller animals of the water; in the man-

ner of fowls and pigeons they scrape up and collect whatever the shore supplies; like the vultures, they feed upon carrion, whether fresh or putrid; and they dart upon living booty like birds of prey — reasons enough why they should have been shunned as food by the Hebrews, though, diffused as they are over all parts of the globe, they were probably not spared by tribes inhabiting sea-coasts; at present the eggs of gulls and the flesh of the young birds, are eaten and much valued in some northern countries, as Norway and Greenland.

[Other translations of *עֵרָב*, besides *gull* (so Sept., Vulg., Boch., Michael., Dathe, Gesen., De Wette, Buns., a. o.), are *cuckoo* (Luther, Engl. Vers.), or *sea-swallow* (tern, sterna, Kitto, a. o.), or *horn-owl* (Geddes, Boothroyd), or *hawk* (Knob., the Sam. has *עֵרָב* or *עֵרָב*, and Saad., Ar. Erp., and Abus. render *عقاب* or *ساق*, supposed to denote a kind of hawk), or some *lean* bird (comp. *רָעָב* *consumption*, *עֵרָב* *thin board*, *Ezech. XLI. 6*). On the sea-gull see *Brehm* l. c. IV. 867—885.]

10 and 11. In reference to the tenth and eleventh name — *יָרֵב* and *עֵרָב* — we find a remarkable unanimity among ancient translators; these, though differing in the exact species, render nearly all *hawk* and *owl*, and it would be gratuitous to deviate from their tradition, which agrees, moreover, with the Biblical statements that the one, as a migratory bird, turns at the approach of winter with unwearied wings to more southern climes (*Job XXXIX. 26*), and that the other inhabits deserted ruins, being the type of loneliness and misery (*Ps. CII. 7*). The aversion with which the hawks were regarded, is not surprising; for while lacking the generous qualities or remarkable gifts of other birds of prey, such as the eagle and the falcon,

they yield to none in audacious rapacity directed, with incredible eagerness, upon both mammals, birds, and amphibia, and unsparing even of their own parents, mates, and offspring. They are in many varieties (אֲרָאִים) spread over all parts of Asia, where several tribes deem them desirable food. — And the owls, especially those kinds that live not so much in forests as among the rubbish and fragments of crumbling edifices, combine various features which may well account for their being included among unclean birds; for they recall the notions of darkness and dreary solitude, and they repel by their ghastly shrieks; while some of them, dauntless and dangerous birds of prey, attack not only insects and mollusks, mice and rats, but also ducks and geese, crows and ravens, rabbits and hares, and even larger animals. Some species of owls, abounding in Palestine and Syria, are in great request for their flesh, which is considered palatable.

[אֲרָאִים (Sept. *lépaz*, Vulg. *accipiter*, Saad., Pers., Ar. *Erp.* ۱۳, ۱۴, Aruch, Nachman. אֲרָאִים *autour*, Kimchi אֲרָאִים, from אָרַז or אָרַז: to fly, the "swift-winged", (ὄξυπτερος or δρυπτερος, comp. *Hom.* II. XV. 237, 238; *Od.* XIII. 86; *δρυστερος* or *ἐλαφρότερος* πτερυγῶν) has only by a few translators been rendered otherwise than hawk, namely *vulture* (by De Wette), or *falcon* (by Winer *falco peregrinus*), or *sparrow* (by Dathe). — The species of owl between which the translators fluctuate in their rendering of אֲרָאִים, are *screech-owl* (*strix noctua*, Jerome, Jonath. in Deut. and Targ. in Ps. CII. 7 אֲרָאִים, Bashi אֲרָאִים *chouettes*), the *eared owl* (*strix otus*, Sept., Aquil., Theodot., *νυκτιγόραξ*, Vulg. in Ps. I. c. *nycticorax*, Syr. אֲרָאִים, Michael, Dathe), the *horn-owl* (*Bubo maximus*, "Uhu", Saad., Abus., Ar.

Erp., Pers. *چاپ*, Onk. אֲרָאִים, Sam., Jonath. אֲרָאִים, Vulg. *bubo*), or the common *barn-owl* (*strix flammea*, Kitto, Luther Käutzlein). — Some, however, interpret אֲרָאִים by *pelican* or *cornorant* (Boch., Gesen., Fürst, Luzz., deriving the name from the "pouch" or "bag" hanging from the throat like the Latin *truo* from *trua*), others by *sea-gull* (Taylor a. o.). But it has been observed that the sitting owl, widening towards the upper part, has a *cup*-like appearance, which would also account for its Hebrew name (comp. *Thenius* on 1 Sam. XXVI. 20). The reading אֲרָאִים found in some manuscripts, is no doubt erroneous (comp. *Michael*. Suppl. p. 1236), and the proposed reading אֲרָאִים, merely because the large owl or *bubo* is in Arabic *چاپ*, is objectionable. On the hawk see *Brehm* I. c. III. 431—444, and on the owl *ibid.* pp. 586—624.]

12. In the list of Deuteronomy, which, as we have tried to render probable, is the foundation or rather the original of that of Leviticus, the owl (אֲרָאִים) is followed by a name — אֲרָאִים — the etymology of which points to another crepuscular bird, and is perhaps a different kind of the order of owls found in very numerous varieties throughout all parts of Asia; and if the one term (אֲרָאִים) represents the large *bubones* or "eared owls", the other (אֲרָאִים) denotes the smaller and less rapacious *striges* or "night-owls"; this harmonises with the Biblical allusion that the bird lives in deserted ruins, in company with the raven and similar birds (*Isai.* XXXIV. 11). It is not easy to see why the author of Leviticus departed, in this point, from the arrangement of his predecessor, and separated two birds which probably belong to the same class, unless it be that he desired to place together two almost synony-

mous names signifying piety and mercy (מִרְחָם and מִרְחֻם).

[We derive מִרְחָם (or מִרְחֻם in Isai. XXXIV. 11) from מָרָם darkness, night (Isai. V. 11; XXI. 4; etc.), taking it as the "night-bird" (noctua, Onk., Jon., Syr. מַרְרָא night-owl, comp. Targ. Ps. CII. 7, where עַב is rendered by that term, Bashi מִרְחָם hibou, Ebn Ezra, Kimchi "a bird which flies about in the dark," Bochart bubo, Engl. Vers. great owl, Michaelis Käutzchen, Dathe noctua, Knobel, Bunsen Uhu); others trace it to the root מָרָם in the sense of blowing, and understand a bird "uttering a sound like the blowing of a horn", such as the *ardea stellaris* or Agami (Bohrdommel or Trompetenvogel; Gesenius), or *heron*, or *crane*, or *ibis* (so Sept., Vulg., Oedmann, De Wette, Kitto), or *sea-crow* (χορδων), or *fowl* (Luther Huhn); but most of these translations do not agree with the Biblical statement above referred to.]

13 and 14. The next two names — מִרְחָם and מִרְחֻם — may, with some probability, be interpreted *cormorant* and *pelican*, both remarkable for their marvellous voracity and their rapacious habits — qualities in themselves sufficient to condemn them as unclean in the eyes of the Hebrew legislator. The cormorant not only chases fishes with impetuous and arrow-like swiftness, but lurking in the water, darts upon swallows and other birds as they flit by, or selecting its prey on the land, pursues small vertebrates and snatches them (עָרָב) with fatal certainty. It is frequent everywhere in northern and southern Europe and in Africa, in North-America and the West-Indies, in middle and in southern Asia, where it is successfully trained for fishing, especially by the Chinese. Its flesh, unpalatable to the taste of Europeans, except the

Laplanders, is on account of its fatness deemed a rare delicacy by the Arabs. Partly greediness, and partly forethought for its young, impel the cormorant to stuff its crop and stomach almost to suffocation; and returning to the nest, it often disgorges dozens of fishes to feed a numerous family. This last peculiarity of "vomiting up" the contents of the stomach, is still more prominent in the pelican, which probably owes to it its Hebrew name (מִרְחָם from מָרָם). The cormorant is supposed to keep conchiferous animals in its stomach, till they are warmed, and then to cast them forth again, in order to open the valves more easily and obtain their contents (comp. *Aristot. Hist. An. IX. xi. 10; Plin. X. 40 or 56; Ael. N. A. III. 20; Talm. Chull. 63**). It is stamped as an aggressive and formidable robber by a long and powerful beak with its hooked and curved point, and its peculiar pouchlike appendage. Though it inhabits both hot and temperate climes, and is spread over the whole globe, it is in some parts, as in northern and middle Africa, found in incredible numbers. Unable to dip into the depth of the water on account of the air-filled sack beneath the beak, it lives upon the prey which it seizes on the surface of shallow rivers or lakes; as a rule, it eats indeed chiefly fishes and young swimming birds, but devours them in such vast quantities, that it may well be called insatiable. Generally selecting for its nest solitudes or isolated ruins, it is, like the owl, the picture of abandonment and misery (Ps. CII. 7; Isai. XXXIV. 11; Zeph. II. 14). Though its flesh has an oily taste, it is eaten by the Arabs; but the bird has been declared sacred by a Mohammedan law, which originated in the legend, that when the holy mosque in Mecca was

being built, the busy workmen, unwilling to delay the completion of the holy edifice by fetching water from a distance, were amply provided by hosts of pelicans which brought the water in their pouches.

[The *תַּרְשִׁיִּשׁ* is variously rendered as the *falcon* (Arab. *شاهي*) or *porphyrio* or purple water-hen (Sept. *πορφυρίων*, Kitto porphyrio hyacinthinus), or *pelican* (Oedmann pelec. onocrotalus), or *heron* (Gr. Ven. *ἐρωδιός*, Bunsen Purpureiher), or *swan* (Vulg., Engl. Vers., De Wette, Luzzatto), or *bat* (Rashi *קלב"א שחור* *chauve souris*; comp. *Talm.* Chull. 63^a; Luther), or *chameleon* (Gesen.), or *owl* (Onk. *אָוֶל*, *אָוֶל*, or *אָוֶל* — the reading *אָוֶל* seems corrupted —; Jon. *אָוֶל*, i. e. *ὄρεός* ear-owl, and *אָוֶל* i. e. *بubo*, Syr. *ܒܘܒܝ*, i. e. *κορυμβή* or *κορυμβά* night-owl; Gr. V. *γλαύξ*, Rashi, Kimchi, Bochart, Fürst, Knobel, *strix stridula* or *strix flammea*), or *goose* (Michaelis, who believes that goose-fat was especially interdicted to the Hebrews as increasing their tendency to skin diseases); and Ebn Ezra explains “a bird at which the beholder shudders” (*אֲשֶׁר יִרְדָּו*). About *תַּרְשִׁיִּשׁ* in the sense of chameleon see on ver. 30.—Greater unanimity prevails with respect to *קַדְשִׁיִּם*, which many translate *pelican* (so Sept., Vulg. onocrotalus, i. e. ass-brayer with reference to its unpleasant cries, Engl. Vers., Bochart, Michael, Dathe, De Wette, Zunz, Fürst), but others *cuckoo* (Jon., Syr. *קַדְשִׁיִּם* — comp. Physiologus Syrus ed. Tychsen, p. 110 —, Arab. *قبيق* or *قبيق*, Luzzatto), or the *bittern* or *miredrum* (*ardea stellaris*, Luther, Rosenmüller, Bunsen), or a kind of *partridge* (Kata *قنط* Knobel), or *swan* (Cassel, der Schwan p. LIII). On the cormorant and the pelican see *Brehm* l. c. IV. 923—933.]

15. With respect to the next bird — *אֲשֶׁר יִרְדָּו*, or *אֲשֶׁר יִרְדָּו* in Deuteronomy —

we feel considerable perplexity. The analogy of Arabic would lead to a species of vulture (*رحمة* or *رحم*), as indeed Saadiah and other Arabic interpreters render; and the etymology which points to a “merciful” bird, seems to corroborate this meaning, since the vulture was in the ancient world reputed for exceeding affection towards its young (see *supra* p. 144). But are we permitted to suppose planless confusion in our list, which, if that were the correct sense, would begin with birds of prey, proceed to the “Runners” (as the ostrich), then to the crepuscular birds (the owls), next to the “Swimmers” (as the cormorant and pelican), and then return again to a chief species of birds of prey? Though the hawk (*קָדֵשׁ*) would have found a more appropriate place before the raven (*אֲשֶׁר יִרְדָּו*), the enumeration exhibits, on the whole, a certain well-considered order. We are, therefore, inclined to take *אֲשֶׁר יִרְדָּו* also as a species of pelican, which deserves, or was considered to deserve, the appellation of the “merciful” bird at least as much as the vulture; for “the pelicans”, so writes one of the best and latest observers, “are as good-natured as they are intelligent; they live peacefully with all animals, and seem to be quite satisfied if they are left unharmed” (*Brehm* l. c. IV. 931); and as regards kindness to their young, it struck the ancients as so extraordinary that they invented the most marvellous fables, for instance, that pelicans throw themselves into the burning flames to rescue their young, or that, if unable to procure food for the latter, they rip open their breast to nourish them with their own life-blood; and the large pouch which is capable of holding about thirty pounds of water, was supposed to have been given to them by nature as a store-house to supply their off-

spring in times of need (comp. *Horap.* I. 54). That a "compassionate" creature to which such fine qualities were attributed, should have been classed among the unclean animals, may be understood by considering its association with the dreariness of ruins and waste solitudes, and by its proverbial and unconquerable gluttony, to which it not unfrequently sacrifices its habitual good temper and love of peace; and the aversion may have been confirmed by its voice, which resembles that of the unclean ass, whence the bird was designated "onocrotalus" or ass-brayer.

[Guided by the analogy of the Arabic, many have taken עֵרָב as *vulture* (vultur percnopterus, so Engl. Vers. grier eagle, Dathe, Michael, Rosenm., De Wette, Winer, Knobel, Fürst, Bunsen, Luzzatto), while others have identified it with the *swan* (Sept. $\chi\acute{o}\chi\nu\omicron\varsigma$, Kitto), or *porphyrio* (Vulg. purpurio), or *stork* (Luther), and even the *nightingale* (Pers. چلچله). Onkelos has עֵרָבִי , a bird of "greenish" colour, supposed to denote a species of vulture, Jonath. and Syr. עֵרָבִי , that is, "the hissing" bird, probably the *bee-eater* (merops); and the Talmud (Chull. 63^a), modifying the etymological sense, contends that if the bird arrives and settles upon some tree crying *rakrak*, it is a sign that "mercy" (i. e. rain) is about to descend upon the earth ($\text{בְּרַחֲמֵי שָׁמַיִם}$). The feminine עֵרָבָה , which is found in Deuteronomy instead of עֵרָב , is the earlier, and seems the more appropriate reading, because the characteristic affection of the pelicans towards their young was deemed most conspicuous in the females.]

16. Now follows, in the original list of Deuteronomy, a name — עֵרָבִי — the etymology of which, like its Greek equivalent ($\kappa\alpha\tau\alpha\beta\acute{\epsilon}\lambda\acute{\epsilon}\tau\tau\epsilon\varsigma$) points to a

bird that *darts* and *rushes* upon its prey, and which, therefore, may well be taken to mean the chief representative of the family of "fish-darters" (piscatrices). These, the most perfect of "web-footed birds" (Steganopodes), to which the pelican also belongs, are pre-eminently remarkable for their mastery in dart-like diving, and in this no species of the family excels so much as the "frigate-bird" or "man of war" bird, which fully deserves its name as "the swift-winged eagle of the sea" (*tachypetes aquilus*); for it surpasses in rapidity of flight even the tern and the gull: circling round in the air like the eagle or the vulture, it suddenly sweeps down from the giddy height, whenever its keen eye spies some porpoise or dolphin with a fish or some other favourite food; it forces from them their prey, and pursues them plunging into the depth of the sea; and so sure does it feel of its booty that it often drops a fish it has caught two or three times, to seize it again till it can hold it conveniently. A creature which shares so many characteristics of the most detested of the birds of prey, and which is found everywhere in the warm and the temperate zones, could well be included among the forbidden kinds.

[Most of the ancient and modern translators render עֵרָבִי by some web-footed darter or some diver (urinator), as *fish-catcher* (Onk., Jon., Syr. עֵרָבִי ; comp. *Talm.* Chull. 63^a, עֵרָבִי), or *pelican* (Gr. Ven., Knobel), or more particularly the *pelicanus Bassanus* (Bochart, Oedmann, Michaelis, De Wette, Fürst, Bunsen, Sturzelikan), or *crab-eater* (Vulg. mergulus, Arab. مورق ; Dathe, Luzz.), or *cormorant* (Gr. Ven. in Deut., Engl. Vers., Kitto, a. o.); while some have *swan* (as Luther). On the frigate-bird see *Brehm* l. c. IV. 913—916.]

17. The following bird — קָרָקַר — is mentioned in the Scriptures as a migratory bird that observes the seasons with nice precision, flies high "between earth and heaven", and builds its nest on the cypresses of mountain heights, such as the Lebanon, and whose kindness is placed in strong contrast to the cruelty of the ostrich (comp. Jer. VIII. 7; Zech. V. 9; Job XXXIX. 13; Ps. CIV. 17). It is remarkable that modern interpreters understand almost uniformly the *stork*, while many ancient versions have *heron* (Sept. $\epsilon\rho\omega\delta\iota\acute{o}\varsigma$); it is difficult to see why the former abandoned a wide-spread tradition, unless they did so because they believed that the appellation of "pious" bird (קָרָקַר) was most suited for the stork, whose parental and filial devotion has been extolled by writers of all ages (comp. *Plin.* X. 23 or 31; *Ael.* N. A. III. 23; X. 16; XI. 30). But this cannot be deemed a decisive argument; moreover, storks seldom, if ever, build their nests on trees. No valid objection can, in fact, be raised against the old translation of heron, especially if we take the noblest representative of the family, the famous *white* or *silver heron* ($\lambda\epsilon\upsilon\kappa\iota\sigma\pi\omega\delta\iota\acute{o}\varsigma$, *herodias alba*), which may well have struck observers as kind and good-tempered, if they compared it with its nearest relations, as the common heron (*ardea cinerea*), which, as a rule, are malicious, quarrelsome, and destructive. The silver heron is distinguished by its slender body, long neck, and weak bill, and especially by a plumage of resplendent white, and large and beautiful back-feathers, the well-known heron-plumes. It is found in the south-eastern parts of Europe, almost in the whole of Asia and northern Africa, near secluded lakes and morasses, where often vast numbers are con-

gregated and present a splendid sight. It flies higher and more rapidly than most birds of the order of "Waders" or "Stilt-walkers" (*Grallatores*). For its nests it selects the tops of the loftiest trees, and seems to prefer the thicket of a high cane-brake only in regions where it deems the exposed trees unsafe. In England, the flesh of the common heron was formerly considered a delicacy, and heron-hawking was a favourite pastime of the wealthy, wherefore the bird and its eggs were protected by laws and fines.

[The name קָרָקַר is rendered *heron* by the Greek translators (Septuag., Aquil., Theodot., Gr. V., $\epsilon\rho\omega\delta\iota\acute{o}\varsigma$), the Vulgate (*herodio*), perhaps Onkel. (קָרָקַר "the white bird"), Kimchi, Luther (Reiger), Winer, Fürst, a. o.; but *vulture* by Targ. Jon. (קָרָקַר קָרָקַר , "the white vulture"; comp. *Talm.* Chull. 63^a הַבֵּן הַבָּרִי); *hawk* by Michaelis; *kite* by Vulg. in Jer. VIII. 7; *stork* by Rashi (קָרָקַר *cigogne*), Bochart, Engl. Vers., Gesen., Kitto, De Wette, Zunz, Luzzatto, Bunsen, a. o. On the white heron see *Brahm* l. c. pp. 700—705, and on the family of *Ardea* in general *ibid.* pp. 694—717.]

18. The etymology of the next name — קָרָקַר — points vaguely to an "angry" bird (Gr. Ven. $\theta\upsilon\mu\omega\tau\iota\kappa\acute{o}\varsigma$), and it would indeed be hazardous to venture upon any distinct species unwarranted by tradition. Now the Greek translators render *charadrios* ($\chi\alpha\rho\alpha\delta\rho\iota\acute{o}\varsigma$) proverbial for its greediness, the Arabic interpreters have *parrot*, and the Targum *ibis* (קָרָקַר *threskior-nis religiosa*). Among these versions the last-named seems to deserve the preference, for the ibis belongs to the "Waders" like the heron, occurs in a variety of wide-spread species (קָרָקַר), and was eaten as a dainty; whilst the identity of *charadrios* is uncertain, as it fluctuates between the

lap-wing, the plover, and several other birds; and the parrot is not found in Palestine, and was hardly known in the countries of the Mediterranean before the time of Alexander the Great. It was certainly most appropriate to proscribe as unclean a bird divinely honoured by neighbouring nations. For, appearing in Egypt almost simultaneously with, and thus announcing, the rising of the wealth-creating Nile, the ibis was deified like the river itself, and held sacred to Thoth. It was deemed, moreover, most beneficent by killing serpents, lizards, and other noxious animals, and for this quality it was so famous that, according to Josephus, Moses, when marching against the Ethiopians, took with him a number of ibises as a protection against the reptiles (Ant. II. x. 2). Greek divinities, and especially Hermes, were supposed to have frequently appeared in the form of the ibis, which was believed to have invented various arts and useful cures, to live to a fabulous old age, or never to die, and to lay four eggs "according to the four phases of the moon." Therefore, while alive, it was protected with religious scrupulousness, and when dead, it was most carefully embalmed, and entombed at Hermopolis: the pyramid of Sakahra, enclosing thousands of ibis mummies piled up in urns or in chambers, and the mummies that have been found in Thebes, Abydos, and Memphis, still bear witness to the funeral honours that were bestowed upon the bird (comp. *Herod.* II. 67, 76; *Plin.* VIII. 27 or 41; X. 12 or 15, 28 or 40; *Ael.* N. A. X. 29; *Strab.* XVII. 1. 40; *Am. Marc.* XXII. xv. 25; *Wilkins*, Anc. Eg. II. 122). It is remarkable that it is at present very rarely seen in Egypt, but frequently in the southern parts of Nubia. Its head and neck are bare and of a black colour, the

eyes crimson, and the feathers mostly white with occasional shades of yellow, blue, and dark. Though, on the whole, peaceful and unaggressive, it is not free from that vicious irritability which characterises the whole order, especially when anxious to satisfy its voracity, which is fatal to insects, especially beetles and locusts, and also to mollusks and small snakes.

[There can be no doubt that the correct reading is *תִּפְתִּיחַ* (with *י*), which is found in Deuteronomy, and has in our passage been rendered by the ancient translators: for it seems inadmissible to take *תִּפְתִּיחַ* as an adjective belonging to *תִּפְתִּיחַ*, "the tufted heron", whereby the significant number of *twice ten* birds would be reduced to nineteen; moreover, *תִּפְתִּיחַ* in the sense of tuft, like *תִּפְתִּי*, is extremely doubtful. Other translations of *תִּפְתִּיחַ*, besides the three mentioned above (viz. *χαραδριός*, parrot, and ibis), are *falcon* (*Talm. Chull.* 63^a, *תִּפְתִּיחַ* *הַתִּפְתִּיחַ* the wrathful falcon), a kind of *eagle* (Bochart *עג*), *heron* (Rashi *תִּפְתִּיחַ*, Engl. Vers.), *jay* (Luth. Reher), *crane*, *curlew*, *woodcock*, or *kite* (Kitto on ver. 19). Arguments against the parrot are given in *Sommer's Bibl. Abhandlungen*, I. 255, 256; on the sacred ibis see *Brechm* l. c. pp. 658—663.]

19. The next bird — *תִּפְתִּיחַ* — belongs to a different class, the "Searchers" (Investigators); for the *hoopoe* (upupa, epops) is unquestionably meant. According to the Talmud, it bears its Hebrew name, "because its crest is thick" (*תִּפְתִּיחַ*, *Chull.* 63^b); and in fact, a fan-like crest forms its most striking characteristic, to which may be added an extremely long and slender bill with an excessively short and stunted tongue, variegated plumage, large and broad wings, and a blunt tail. It is found in the wooded

plains of the greater part of Europe, northern Africa, and middle Asia down to Cashmere. In the warm latitudes, the dirty bird delights, like the vultures, in carcasses and garbage, feeds with predilection upon insects found in or near dunghills and mire; and deserves, therefore, fully to be classed among the "unclean" species; it is, moreover, quarrelsome with its own kind and with other birds, though it may be tamed to a great degree of familiarity with man, and was among the ancients reputed for its filial tenderness (*Ael. Natur. Anim.* III. 26; comp. *Horapoll.* II. 92). The nauseous smell of parents and offspring during the brooding time, and for weeks after they leave their loathsome nest, gradually wears off, and in the autumn their flesh, in taste like that of quails, is in much request; yet it is not eaten by the Mohammedans; among them, as among the Jews, the "huhud" (هدهد) is the subject of many cherished legends; it is supposed to have procured for Solomon the wonderful worm *shamir*, which was indispensable to him for the erection of the Temple, and to have rendered him many other important services.

[The etymology of חֲסִידִים is uncertain, and the different derivations, which it would be useless to mention, lead to no safe inference; besides *Acopoe* (so Sept. ἄκοψ, Vulg. upupa, Saad., Ar. Exp., Abus., Pers., Rashi חֲסִידִים huppé crest, Luther, Michael, Dathe, De Wette, Kitto, Luzzatto, Bunsen, a. o.), the word has been rendered *mountain-cock* (*tetrao urogallus*, "Auerhahn"), belonging to the gallinaceous birds or "Scratchers" (*Rasores*; comp. *Brehm* l. c. pp. 335—347; so probably Syr. חֲסִידִים "wild cock", Onk. and Jon. חֲסִידִים lit. "mountain-workman", "mountain-pecker", comp. *Talm.* Gitt. 68^b,

Gr. Ven. ἀγρίαλαστροπῆς, Bochart *gallus agrestis seu montanus*), or the *wild peacock* (חֲסִידִים paon sauvage); while Anan the Karaite and his followers understand the common cock, and hence count the gallinaceous birds to the unclean species which must on no account be offered on the altar (see *Ebn Ezra* in loc.; comp. *Fürst*, *Karäerth.* I. 53). On the hoopoe see *Brehm* l. c. pp. 22—26, and on חֲסִידִים, גִּבְיָא, etc. *P. Cassel*, *Schamir*, Ein archäologischer Beitrag, pp. 72—94.]

20. The last name — חֲסִידִים — has by a common tradition been understood to mean the *bat*; for the Hebrews, like the Arabs, classed this animal among the birds, because the membranous expansion which distinguishes it bears a resemblance to wings and bestows the power of flight (see *infra* p. 157). The bat was by some tribes eagerly caught and eaten, especially salted.

[Few only have rendered חֲסִידִים otherwise than *bat* (as Syr. *peacock* חֲסִידִים, Luther *swallow*), and the correctness of that translation can hardly be doubted.]

If we once more survey our list, we find, that those birds were stamped as unclean which are remarkable for rapacity and bloodthirstiness, for fierce impetuosity and insatiable greed, for cruelty and reckless destructiveness, those that live upon carrion and putrid food, and those that recall the notions of night and darkness, of desert, solitude, and decay.

The writer left it to his readers to deduce the signs and to apply them in every single instance. He preferred stating the unlawful, and not, as his predecessor did with respect to quadrupeds, the clean kinds (*Deut.* XIV. 4, 5), because he hoped thus to teach more briefly, since the number of

clean birds is supposed to be preponderating, and also more distinctly and more accurately, since even a few of the birds mentioned clearly suggest their disqualifying characteristics. These have by Jewish tradition been described in great detail. Evidently examining, on the one hand, such species as the ossifrage and the vulture, and on the other hand, such as the pigeon and turtle-dove, it declared unclean (1.) the birds which strike (יִדְּ) with their claws, whether they do so in order to hold down their prey firmly for the purpose of consuming it, or to tear and to devour it while still alive; (2.) those which, in standing upon an extended rope, "divide their feet", that is, place two toes on the one and two on the other side, and not three in front and one behind; and (3.) those which snatch their food in the air, and eat it without first dropping it on the ground. But it pronounced clean the birds which have (1.) "a prolonged toe" (אֶצְבָּעוֹ אֲרוֹךְ), that is, probably a middle front-toe more prominent than the rest, and are thus enabled to dig out grains from the ground; (2.) a crop (קֶרֶךְ) to receive the food for preliminary soaking; and (3.) a strong and muscular second stomach or gizzard (קֶרֶךְ), whose inner coat, covered with a slimy mucous membrane, can be peeled off from the fleshy part with the hand, without the aid of a knife. Yet it was soon discovered that these three signs can in themselves not be relied upon as decisive, for they would, for instance, legalise the raven, which is expressly mentioned among the prohibited kinds; hence they were not considered final, unless the bird is, besides, known not to "strike", and is by a sure tradition regarded as clean (see *Mishn. Chull. III. 6*; *Talm. Chull. 65*; *Yor. Deah § 82*; comp. *Aristot. Hist. An. II. xii.*

14, 15). Again, Jewish doctors established this distinction that the eggs of clean birds have the yolk in the middle and the white around it, and that they are narrower on one and broader on the other end; while those of unclean birds have the white in the middle and the yolk around it, and are at the end equally narrow or equally broad (*Talm. Avod. Zar. 40^a*; *Chull. 64^a*). But the "striking" (יִדְּ) was ultimately taken as the infallible, as it is the most obvious, test invariably stamping the bird as unclean; for it was looked upon as a proof that "the blood of the bird, heated on account of its innate cruelty, causes the internal organs to be blackened and burnt up, and engenders fierceness of temper" (*Nachman. in loc. fol. 90^b*). Anan, the Karaite, taught that "the clean birds lick the water and drink, and feed their young"; but many members of his sect held these criteria to be as illusory as those set forth by tradition (comp. *R. Aaron II. in his Commentary on Leviticus — כִּי יִדְּ — fol. 25^b*, edited by R. Jud. Savaskan, Eupatoria — גזר — 1868).

PHILOLOGICAL REMARKS. — Targum Jonathan inserts here (ver. 13) the Rabbinical signs of unclean birds above referred to ("those that have no אֶצְבָּעוֹ אֲרוֹךְ, nor a קֶרֶךְ, and whose קֶרֶךְ cannot be peeled off"); comp. also *Siphra 50^b* (כִּי יִדְּ יִדְּ); *Maim. De Oib. Vet. I. 16*. The Talmudical criterion of יִדְּ has, with less probability, been explained to mean impinging the claws in smaller birds; or snatching with the talons the prey from the ground before it is taken into the mouth, or seizing and devouring it in the air while flying; and the אֶצְבָּעוֹ אֲרוֹךְ is usually understood as a separate toe or talon behind the rest, which acceptation is excluded by the fact that such toe

is found in most of the eagles, and in other notorious birds of prey. How many species the author actually intended to prohibit, it is impossible to say; the number 24 stated in the Talmud (Chull. 63), is imaginary, since it is simply made up of the twenty species really enumerated, and the *four* repetitions of the term "after its kind" occurring in the list. — The passage of Deuteronomy (XIV. 12—18) corresponding to ours, specifies not 20 but 21 birds, or "three heptads" (*Sommer*, Bibl. Abhandl. I. 253; comp. *Kurtz*, Opfere. p. 6): namely instead of וְהָיוּ לָכֶם Deuteron. reads וְהָיוּ לָכֶם. It seems natural to conjecture that וְהָיוּ and וְהָיוּ are only orthographic modifications of the same word, וְהָיוּ and וְהָיוּ being occasionally interchanged (see Gram. II. p. 57), and that וְהָיוּ has crept into the text of Deuteronomy by some mistake, unless the compilers of Leviticus omitted it on purpose, in order to produce the significant number of 20 animals (see p. 59). Ebn Ezra (on Lev. XI. 14 and Deut. XIV. 11) proposes, without proof, to take וְהָיוּ as a generic term comprising the two species וְהָיוּ and וְהָיוּ, or וְהָיוּ and וְהָיוּ. The Talmud (Chull. 63^b) chooses to consider וְהָיוּ and וְהָיוּ as identical, the one derived from the *vision*, the other from the *flight* of the bird, which opinion has been adopted by later writers (as *Man. ben Isr.*, *Bochart*, *Rosenm.*, a. o.), and been supported by the analogy of וְהָיוּ and וְהָיוּ (Gen. X. 4 and 1 Chr. I. 7); וְהָיוּ and וְהָיוּ (Gen. X. 3 and 1 Chr. I. 6); וְהָיוּ and וְהָיוּ (Num. I. 14 and II. 14); and above all וְהָיוּ and וְהָיוּ (2 Sam. XXII. 11 and Ps. XVIII. 11); but these variations, as is especially evident from the last instance, really imply different readings in the earliest manuscripts or traditions. The Samaritan

codex has וְהָיוּ both in Levit. and Deuter., and omits וְהָיוּ in Deuter. (so also the Sept., Ar. Exp., and some masor. manuscripts of Kennic.). Knobel's opinion (Levit. p. 449), that וְהָיוּ is an addition later made in Deuter. from Leviticus, is based upon the assumption that it occurs in Levit., where, however, it does not occur; and Keil's suggestion (Lev. p. 75), that the list in Leviticus, meant to be merely illustrative, could in Deuteronomy be fitly increased by one or even more animals, is a convenient evasion, the weakness of which needs hardly be pointed out. See also *Hartmann*, *Forschungen*, pp. 230, 231. — The order in which the birds are enumerated is not identical in Deut. and Levit.: the difference with respect to וְהָיוּ and וְהָיוּ has just been stated; and וְהָיוּ, which here stands immediately after וְהָיוּ, is in Deuter. placed considerably later, and follows only after וְהָיוּ (or rather וְהָיוּ, see p. 151). The Sept. deviates, besides, from the masoretic sequence in transposing the word וְהָיוּ (*τέρας*) in Levit., though not in Deuter., and giving it an earlier place after וְהָיוּ (*χόραξ*, ver. 15); the transposition does not, however, extend to the whole verse (as is assumed by *Michaelis*, in *Orient. Bibl.* II. 213), and the omission of the 15th verse in the Cassel manuscript (*Michael* l. c.) is simply a mistake of the copyist. — If the more frequent use of וְהָיוּ as sign of the accusative be peculiar to the later stages of the Hebrew language, it is curious to notice that, in our verses, that particle occurs 9 times where it is omitted in the parallel passage of Deuteronomy, that in fact, in our verses, it is but once wanting (in וְהָיוּ ver. 19). This is the most important of the minor differences of the two texts; for we can lay no stress upon the reading וְהָיוּ in Deut. instead of the masculine

20. All winged creeping things that go upon four, *shall be* an abomination to you. 21. Yet these you may

form אֲרָבִיּוֹת , nor upon the occasional omission of the connecting particle וְ in the one Book or the other.

20—25. The "winged creeping things" (חַיִּי חָרָבִים), to which the Deuteronomist alludes with a few passing words, merely prohibiting them for food as unclean (XIV. 19), are next treated of by the levitical writer with evident care. But his statements present considerable difficulties. What are "winged creeping things"? Are they insects? We must answer, No; for they are distinctly described as "going upon four feet" ($\text{אֲרָבִיּוֹת הַיָּרֵדִים עַל אַרְבַּע רַגְלָיִם}$) or as "having four feet" ($\text{הַיָּרֵדִים עַל אַרְבַּע רַגְלָיִם}$); whereas the insects have invariably six, two on each of the three jointed rings of the thorax. It is, in fact, an essential point in the definition of insects that they have six feet. The authority of Aristotle has been appealed to. But that authority which, were it even favourable, would prove nothing against nature, is opposed to those who invoke it. For Aristotle remarks: "Some insects have the *first* pair of feet larger . . . in order to wipe off with them whatever falls upon the eyes, as we see the common flies and bee-like insects do; and the *last* pair is larger than the *middle* one, partly to be more serviceable for walking, and partly to enable the insects to rise more easily from the ground when about to fly." Indeed flies, as is well known, use their hairy legs as a kind of brush, wiping with the foremost pair the dust from the eyes, and with the hindmost from the wings, after which they cleanse the legs themselves by rubbing them against each other: but those ob-

servations of Aristotle manifestly pre-suppose *six* feet; moreover, the author adds distinctly, "*All* creatures of this kind have six legs, including those that serve for leaping ($\text{ἐξάποδα δὲ τὰ τοιαῦτα πάντα εἰσὶ ἐν τοῖς ἀλ- τιστοῖς ποποῖς}$; De Part. Anim. IV. vi. 1, 5); and all recent investigations have confirmed the fact, that "three pairs of locomotive limbs are characteristic of perfect insects" (*Huxley*, Elem. of Comp. Anat. p. 57). Again, even if, for argument's sake, we lay no stress upon the number of feet, we must ask, Are all insects winged? It is well known, that the class includes several wingless species, viz. not only the females of some kinds, as the female or working ant (belonging to the hymenoptera), and the females of the mantis, the earwig, the cockroach, and others of the order of orthoptera, but both males and females of a part of the order hemiptera (the louse, bug, &c.), and the flea (one of the diptera). In fact, the only four-footed animals with wings are bats, and these are in our very chapter counted among the birds (ver. 19), though they really belong to the mammalia. There are indeed a few animals provided with a membranous expansion or broad fold of skin along the flanks, or between the fore and hind legs, and also between the two hind-legs themselves, as the "Flying Dragon" (*draco volans*), a harmless lizard, the "Flying Lemur" (*Galeopithecus* or *colugo*), and the "Flying Squirrel" (*Pteromys*). But that extension of skin can in no sense be designated a wing; it is by those creatures merely used as a kind of parachute, to sustain themselves while leaping from branch

eat of all winged creeping things that go upon four [six] — *those* that have *strong* upper joints above their

to branch, and it does not qualify them for continuous flight. What then are "the winged creeping things"? Fortunately, the Biblical text is sufficiently explicit to dispel all doubt and to permit a clear inference. It mentions as lawful species of the "winged creeping things" several kinds of *locusts*. Now, these are winged; they have six feet; two of them are indeed peculiarly formed, but their exceptional structure is by no means so important as to constitute a new class of animal. The locusts are insects; their right of being numbered among them has never been questioned; and insects are undoubtedly meant by "winged creeping things", since they both walk or crawl and fly. The Chaldee translation of Jonathan exemplifies these animals by the fly, the wasp, and the bee; Jewish tradition has invariably taken the same view; Rashi explains the term by "small and diminutive creatures that crawl upon the ground, as the flies and hornets, the gnats and locusts"; and Maimonides includes in it "fly, gnat, hornet, and bee" (De Cib. Vet. II. 5). We are, therefore, compelled to conclude (1.) The fact that wingless insects exist was disregarded by the writer, whether he believed that the wings are an unessential criterion of insects, or not; and (2.) The words "all that walks upon all four", and "all that has four feet" are incorrect. Six feet are required by the context, and six must here be read and understood. But it remains to enquire — How did this extraordinary mistake originate? Is it attributable to the traditional text or to the author? All ancient versions, without any excep-

tion, render *four* feet; this reading seems, therefore, as old as the diffusion of the Hebrew text itself, and it would be arbitrary to suppose that four was inserted by the copyist instead of six. But we believe we are able to prove that the mistake is due to the author, and even to show how he was betrayed to fall into the error. Let us turn to the parallel passage in Deuteronomy (XIV. 19, 20). After the enumeration of the unclean birds, it continues: "And every winged creeping thing (כָּשֵׁר כָּנָף) shall be unclean to you; they must not be eaten: all clean fowls you may eat." It will be observed (1.) That the text in Deuteronomy does not qualify the creatures by the number of their legs, to which it does not allude at all; and (2.) That the "winged creeping things" are manifestly *birds*; for they are introduced in the midst of commands relating to birds (comp. vers. 11 and 20); on any other supposition the last words "all clean fowls you may eat" would be unintelligible. These two important differences lead to the following conclusions. The Deuteronomist understood the words rendered "winged creeping thing" (כָּשֵׁר כָּנָף) as "unclean bird"; he evidently placed the terms "clean birds" and "clean fowls" (כָּשֵׁר כָּנָף and כָּשֵׁר כָּנָף) in juxtaposition to "unclean bird" (vers. 11, 19, 20), as a calm examination of the passage must convince every reader; that the words כָּשֵׁר כָּנָף bears such meaning, may demand it in the context, requires no proof, for כָּשֵׁר denotes the unclean animals of all classes and species generally (see p. 50). Thus the text in Deuteronomy is clear and consistent. Now, the writer of Levi-

feet in the hindmost legs, to leap therewith upon the earth; 22. These of them you may eat: the migratory

ticus, who had Deuteronomy before him, obviously believing the general injunction "every unclean bird shall not be eaten" (Deut. XIV. 19) superfluous after the detailed enumeration of the unclean species (see p. 128), restricted that injunction to the *last* of the species mentioned, the *bats* (עוֹף לַיְלָה); he was perhaps aware that bats are no bipeds, and had been wrongly placed among the birds; he described them with sufficient accuracy as "winged creeping things that go upon four"; and the great number of species of the bat-tribe, that were actually eaten, may have made such addition appear desirable. But the phrase עוֹף לַיְלָה could easily and naturally be applied to the smaller "winged creeping things", or to insects: therefore a later reviser, desirous of inserting the permission of eating locusts, took the verse "all winged creeping things that go upon four, shall be an abomination to you" to refer to insects, perhaps understanding the phrase "walking upon all four" to refer to any indefinite number of legs (see *infra*); and he introduced that verse as a general rule, from which he excepted the locusts as lawful food. Thus the mistake of attributing four feet to locusts and to all other insects, remains; but we can account for its origin, we see that it crept into the Pentateuch at a late period, and that it is a result of the very peculiar and complex manner in which that work was gradually completed and concluded. The veil will never be withdrawn from the composition and growth of the Law, unless it is admitted, that the levitical precepts form the latest additions, and are,

in spirit and detail, more advanced than those of Deuteronomy. But with this conviction as a guide, the mystery is lessened, and may in time be entirely solved. How, on the opposite view, the omission, in Deuteronomy, of all mention of clean locusts can be explained, it is difficult to see. Could a recapitulation, however compendious, suppress an important and a striking feature which might have been inserted with a few concise words? In any summary of the dietary laws — and they are stated in Deuteronomy with considerable fulness — the permitted species of the "winged creeping things" would unquestionably have been alluded to, had that summary been made from a work such as Leviticus, containing a provision in favour of those insects (see also p. 124). How the locusts, "unclean" (טָמֵא) in every respect, a ravaging scourge while living, and often the cause of dire pestilence by their sudden death, could be allowed for food by an apparently unwarranted deviation, has been explained above (p. 126).

The four sorts of locusts here specified are not easy of identification; but so much is certain from the addition "after its kind", made in each instance, that certain chief genera are intended (see Philology Remarks). Jewish tradition maintains, that 8 species of clean locusts are literally implied in the text, and that there exist altogether 800 species (*Talm. Shabb. 90^b; Chull. 65; Taan. 22^b; Maimon. De Cib. Vet. I. 21—23*). The Mishnah (*Chull. III. 7*) thus describes the criteria of the clean kinds: they have four legs, four wings, and springing legs

locust (*arbeh*) after its kind, and the locust *solam* after its kind, and the locust *chargol* after its kind, and the locust

(*arbeh*), and their wings cover the greater part of the body; and having these four signs, they must be known under the name *chagav* (*חגב*): which rules, explained, qualified, and expanded in the Talmud (Chull. 65, 66; Av. Zar. 37), no more lead to a distinct conclusion than the surmises of subsequent Jewish writers, some of whom place the springing legs "near the neck"! (see *infra*). Indeed later and stricter casuists entirely forbid locusts, because it is at present impossible to distinguish the clean from the unclean species (comp. *Rashi* in loc.; *Yor. Deah* § 85).

It is well known that locusts are extensively eaten in various forms of preparation. They are roasted on red-hot coals or on an iron plate, or dried in the oven or in the sun on the roofs of houses, when they keep and remain eatable for years; they are cooked alive by being thrown into boiling water copiously mixed with salt and then dried in the sun, after which their heads, feet, and wings are plucked off, and their bodies freed from the salt; or they are boiled, or stewed, or fried in butter, and so spread on unleavened bread; or they are ground to flour in hand-mills, or pounded into powder in stone mortars; the flour and the powder, usually mixed with corn-flour, are made into a dough by kneading them with water, and then baked into cakes or bread; or the powder is sprinkled with milk and so consumed (*Herod.* IV. 172). They are eaten both in years of famine and of plenty, and in seasons of scarcity they form not rarely the only nourishment for whole tribes (*Diod. Sic.* III. 29);

they are relished by the natives, especially at breakfast, though more often by the poor than by the rich, and more by the Arabs than the Turks; they are neither disagreeable in taste which resembles that of shrimps and prawns or sprats, nor, as a rule, injurious to health; often they have even been employed medicinally, and taken with wine, have been considered efficacious against the sting of scorpions (*Diosc.* II. 57). Hence they are commonly offered in the market, or ordinarily sold in shops by the measure, either in sacks and baskets, or drawn on strings, and they find ready purchasers. The Jews in Yemen buy and eat them freely, and believe that locusts are the "birds" (*arbeh*) which God sent the Israelites as food in the desert; and this questionable opinion is shared by some western scholars (as Ludolf, Niebuhr, and Oken). It is remarkable that the inhabitants of the peninsula of Mount Sinai, where the Hebrews are said to have received the dietary laws, are the only Bedouins "who do not use the locust as an article of food" (*Burckhardt*, Bedouins, p. 376): however, the dietary laws of the Pentateuch were not given in the peninsula of Mount Sinai, but in Palestine, and were suggested by much later habits and exigencies.

While our author was following the guidance of Deuteronomy, he coupled the prohibition of the unlawful animals with the simple injunction, "Of their flesh you must not eat, and their carcass you must not touch" (vers. 8, 11); but now, taking his own path, he is unable to conceal a more advanced age and a more developed system. He ordains repea-

chagav after its kind. 23. But all *other* winged creeping things which have four feet, *shall be* an abomination to

tedly, "Whoever touches their carcass shall be unclean until the evening; and whosoever bears ought of their carcass, shall wash his clothes, and be unclean until the evening" (vers. 24, 25, 28, 31, 40, 41). Thus a nice gradation is established between touching and carrying an unclean carcass, and a decided ceremonialism is everywhere manifest; for the levitical spirit had begun to pervade religion and all relations of life. But an additional and a very remarkable difference is apparent. Another levitical legislator was not satisfied with measures of illustration so lenient, in cases of defilement by unclean carcasses; he looked even upon involuntary or inadvertent pollution as an offence to be expiated by a signal act of religious penance; and he ordained a sin-offering for any such emergency whatever (v. 2, 3). How this rigorous and oppressive law was abandoned, has been pointed out in another place (see Comm. on Lev. I. 41, 42, 509).

PHILOLOGICAL REMARKS. — The meaning of the term *חַיָּה אַרְבַּע רַגְלִים* cannot be doubtful as regards the language, whatever difficulties it may offer with respect to the sense: it is "a creeping thing with wings"; the *Sept.* renders literally ἐρπετὰ ὡς πεταυῶν; and so *Onk.* and *Jonath.* *חַיָּה אַרְבַּע רַגְלִים*; *Bunsen* not inaptly "alles geflügelte Klein-geethier"; inaccurately *Vulg.* omne de volucris; *Luther* "was sich reget unter den Vögeln"; *Rosenm.* insecta salientia; indistinctly *Michaelis* "alles Mittelding von Geflügeltem"; *Nachmanides* explains, "The winged creatures with four legs, the neck and head of which are bent downward, as in reptiles, and do not, as in birds, rise upward"; but he omits to

give instances of animals so peculiar; *Jonathan* who, as has been stated above, inserts after these words, "the species of flies, and the species of wasps, and the species of bees" (comp. *Talm.* Chull. 65, 66), adds at the end "but bee-honey may be eaten"; for Jewish tradition, though as a rule strictly adhering to the canon, that whatever comes from an unclean creature is itself unclean (see *supra* p. 129), declared the honey of bees unobjectionable, because it is not the direct produce of the insects, but a preparation from the gathered juices of herbs (comp. *Talm.* Bechor. 7^b; *Maimon.* De Cib. Vet. III. 3; *Yor. Deah* § 81. 8). — In ver. 42, Targ. *Jonath.* renders the words *יֵלֵךְ עַל אַרְבַּע רַגְלִים* "all that go upon all four from the serpent to the centiped (or milliped *לָרֶמֶס*) which has many feet" (a class connecting the crustacea with the insects); while the Talmud (*Chull.* 67^b) understands by *יֵלֵךְ עַל אַרְבַּע רַגְלִים* the scorpion, which belongs to the spider-tribe. Hence the phrase "going upon all four" *יֵלֵךְ עַל אַרְבַּע רַגְלִים*, as in some modern languages, evidently pointed to the low or crawling movement of the body near the ground, rather than to the exact number of feet: therefore, whereas in ver. 20 it is taken literally, it is in the following verse unmistakably applied to insects with six legs, although these creatures are immediately afterwards described as *אַרְבַּע לֵגִים* *יֵלֵךְ עַל אַרְבַּע רַגְלִים*, which words permit no other interpretation than just "four legs." — The correct reading (in ver. 21) is unquestionably the *Keri* *אַרְבַּע לֵגִים*, not the *Kethiv* *אַרְבַּע רַגְלִים*. The decisive argument against the latter reading is, that it is opposed to fact and nature, for locusts *have*

you; 24. And by these you are rendered unclean; whosoever touches their carcass shall be unclean until the even-

“*וְעָלְיוּ* above their feet to leap therewith” (see *infra*). The sense of *וְעָלְיוּ* is expressed by all ancient translators; *וְעָלְיוּ* is found in the Samaritan codex, and in many manuscripts of Kennic. and De Rossi (comp. Var. Lect. I. 94, 95); while the reading *וְעָלְיוּ*, taken in its usual sense, would be utterly unintelligible in the context, though it has been expressed by Luther a. o., and supported by early Jewish casuists who translate, “which, though having no *וְעָלְיוּ* at the time, grow them later” (*Talm. Chull. 65^b*). If *וְעָלְיוּ* is to be retained, it must be considered as identical in meaning with *וְעָלְיוּ*, and as differing from it merely in orthography; it is not impossible, as has been conjectured, that *וְעָלְיוּ*, being in ancient times often written *וְעָלְיוּ*, with *otiosum* (see Gramm. II. p. 59), was in some cases, by a questionable application of *scriptio defectiva*, written *וְעָלְיוּ*. Certain it is, that the same Kethiv and Keri (*וְעָלְיוּ* and *וְעָלְיוּ*) occur in several other passages also, where the Keri *וְעָלְיוּ* is required by the sense (Exod. XXI. 8; Lev. XXV. 30; 1 Sam. II. 3; Isai. IX. 2); while in others (as Job XL. 4) the Kethiv *וְעָלְיוּ* and in others again (as 1 Sam. XX. 2) the Keri *וְעָלְיוּ* is preferable (comp. also 2 Sam. XVIII. 12 — Keth. *וְעָלְיוּ*, Keri *וְעָלְיוּ*; Mic. II. 11 — Keth. *וְעָלְיוּ*, other reading *וְעָלְיוּ*; and on the Masoretic interchange of *וְעָלְיוּ* or *וְעָלְיוּ* with *וְעָלְיוּ* see Geiger's Jüd. Zeitschr. VI. 21—31). No uncertainty is possible as to the entire phrase in which the characteristic of the locusts is set forth, *וְעָלְיוּ* *וְעָלְיוּ* *וְעָלְיוּ* *וְעָלְיוּ* *וְעָלְיוּ* *וְעָלְיוּ*, that is literally, “which have thighs above their feet to leap therewith upon the earth”. It must be observed, (1.) Those words do not describe the locusts' legs generally, but

only the third or hindmost pair, for these alone differ in their use and structure from the legs of other insects. (2.) These legs consist indeed, like those of all insects, of three joints and no more, but the second joint, which is above the *tarsi* or the series of smaller segments terminating the foot, is, in locusts, particularly long and powerful, and is used by them to stem themselves on the ground, and by these means to leap considerably, in some instances 200 times their full length (comp. Job XXXIX. 20). (3.) This second joint must be understood by *וְעָלְיוּ*, which fully admits this sense (see Comm. on Levit. I. 478), while the lowest set of joints, or the tarsi, is appropriately expressed by *וְעָלְיוּ*, the foot in the stricter sense. (The Arabs call the two springing legs simply *feet*, *Nieb. Arab. 170*.) Therefore, the words under discussion might be thus paraphrased: — the insects that have in their hindmost legs the second joint, or that above the proper foot, so strong as to be able to leap therewith upon the earth. Impossible meanings have been attributed to the words *וְעָלְיוּ* *וְעָלְיוּ*: they have been explained to signify “over and above” or “besides the feet”, yielding the translation “all that, besides the feet, have two hind-legs” (so Sommer, Bibl. Abh. I. 259, Bunsen, Luzzatto), as if *וְעָלְיוּ* could ever have that meaning (Isai. VI. 2 is no parallel at all), and as if the locusts alone of the class *וְעָלְיוּ* had six feet; or “above the four ordinary legs, near the neck” (as Rashi, Bartenurah, and other Jewish writers surprisingly interpret), whereas the springing legs are the lowest or last, and not the

ing. 25. And whosoever bears *ought* of their carcass, shall wash his clothes, and be unclean until the evening.

highest pair on the thorax (comp. *Aristot. De Part. An.* IV. vi. 5); or "rising above the proper legs", that is (as Bochart, Michaelis, and others explain), the locusts have besides the four legs upon which they walk or creep along, two much larger and higher springing legs, which, if the creatures sit or walk, not only project above the proper legs, but also above the back; but (1.) כַּרְסֵי cannot mean the entire legs including the three parts or joints, for they are invariably expressed by כַּרְסֵי , and (2.) the elliptical sense attributed to כַּרְסֵי is entirely against the Hebrew usage. Most of the interpreters render the words so literally that their translations are not less indistinct than the Hebrew original itself (Sept. & $\text{\textit{\xi\gamma\epsilon\iota\ \sigma\acute{\epsilon}\lambda\eta\gamma\ \acute{\alpha}\nu\acute{\omega}\tau\epsilon\rho\omicron\nu\ \tau\acute{\omega}\nu\ \pi\omicron\delta\omicron\omega\nu\ \alpha\upsilon\tau\acute{\omega}\nu}$; Onkel., Jonath., Engl. Vers., "that have legs above their feet", Dathe, De Wette, a. o.); the Vulgate expresses the sense imperfectly (*habet longiora retro crura*), entirely omitting כַּרְסֵי ; and Luther erroneously ("und nicht mit zweien Beinen auf Erden hüpfet", see *supra*):— כַּרְסֵי refers to כַּרְסֵי which is feminine (comp. Am. III. 12), for the locusts leap by means of the middle joint, not by the proper foot (or tarsi), which is short and weak. The reading כַּרְסֵי , therefore, in the Samaritan Codex and some manuscripts, is not acceptable.

Just as the Arabs eat some kinds of locusts and reject others, and as the Persians even divide all locusts into "lawful" and "forbidden" classes, so the levitical legislator permitted to the Hebrews only some of the many genera which have frequently, though somewhat conflictingly, been descri-

bed by old and modern travellers and naturalists. These distinguish the green and the yellow, the red and the grey, the light and fat, the flying and the leaping locust; and the subgenera are so numerous, that an approximate identification of the four species mentioned in our text is perhaps all that can ever be expected. As a rule, the larger kinds only, which are comprised under the old generic name of *Acridia*, are eaten; they have short antennae not pointed at the end, and their prothorax is knobbed underneath and raised above. The female of the "Muken" ($\text{\textit{\mu\acute{\kappa}\eta\iota}}$) is especially esteemed both as palatable and nutritious. It is well known that locusts are the favourite food of fowls, pigs, and monkeys, but above all of some birds, as the starling and red thrush (*turdus roseus*), and especially the *Samarmar* or *Samarmog* ($\text{\textit{\text{سمرمر}}}$), a black bird somewhat larger than our sparrow, which devours a vast number, and kills many more, whence it is kept and scrupulously protected in provinces liable to the locust plague; for a similar reason, jackdaws were, in Thessaly and Illyria, fed at the public expense, because they destroy both the eggs of the locusts and their young brood (comp. *Acl. Nat. An.* III. 12; *Plin.* XI. 29 or 35; *Ritter, Erdkunde*, VIII. 796, 798, 804).

1. The $\text{\textit{\text{כַּרְסֵי}}}$ (from $\text{\textit{\text{כַּרְסֵי}}}$ to be multiplied, to be many) seems to point with some distinctness to the "migratory locusts" (*acridium migratorium* or *gryllus gregarius*), which often fly in stupendous swarms over various parts of Asia and elsewhere, voraciously devastating all vegetation (see Comm. on Ex. pp. 160—163); "like the locusts in multitude" ($\text{\textit{\text{כַּרְסֵי}}}$) was

a proverbial phrase used to denote vast numbers (Judg. VI. 5; VII. 12; comp. Jer. XLVI. 23; LII. 14; Nah. III. 15, 17); and the migratory locust is still called by the same name (חרב) in some parts of Asia (*Nieb. Arab. p. XXXVII*).

2. The חרב (from the Chaldee root *to consume*, perhaps kindred with the Hebrew חבל, is the "Devourer" (like חרב and חרב, see *infra*), a large and destructive kind, which it would be mere hazard to define, especially as the word חרב occurs nowhere else in the Old Testament.

The same applies 3. to חרב (comp. Arab. حرجل *to run rapidly*) the "Leaper", evidently an unwinged species, the eggs of which, if worn at the ear, were supposed to be a remedy against ear-ache (*Mishn. Shabb. VI. 10*).

And 4. the חרב (comp. Arab. حبيب *to cover or hide*) seems to mean a class of locusts which *cover* the ground so completely as to *hide* it; they resemble, therefore, the חרב in their prodigious swarms, but differ from it in being unwinged; though small and insignificant in appearance (Num. XIII. 33; Isai. XL. 22), they may become a scourge laying waste the fields (2 Chr. VII. 13); and they were certainly so common that they were used as the generic term, not only for the clean but for all locusts in general (*Mishn. Chull. III. 7; VIII. 1; Terum. X. 9; Edej. VII. 2; VIII. 4*).

How far these criteria afford a basis for exact identifications, may easily be estimated, if our imperfect knowledge with respect to this subject be considered. Yet for the sake of completeness we subjoin a survey of the principal conjectures that have been ventured.

1. חרב — Samar., Onk., Jon., Sifra, Talm. חרב (Hebr. חרב: perhaps the most comprehensive designation for locusts, Am. VII. 1; Nah. III. 17; Arab. حارب, or حارب, a kind of locust having

neither tail nor "hump" (i. e. the anterior part of the head does not rise, hump-like, between the antennae), whether the head be round or oblong (comp. Talm. Chull. 65, Berach. 40^b; Sot. 49^b; Taan. 22^b); Syr. חרב (locust generally; comp. قمص *to leap, to run in galop*); Ar. حراد (locust); Sept. βροῦχος; Vulg. bruchus; Gr. Ven. δαίς; Engl. Vers. locust, *Dalthe locusta*, Michael. Heuschrecken nach der ersten Häutung, Luzz. locusta.

2. חרב — Onk., Syr. חרב, Jon. חרב, Sifra, Talm. (Chull. 65) חרב, Sept. ἀττάχης, Vulg. attacus; Talm. (Chull. 65, 66) "a species having a hump but no tail"; Gr. Ven. πέρνοψ (gryllus evernor) Saad. and Abus. دجا (dybbe or dybben, a winged species not eaten by the Arabs because unwholesome, *Nieb. Arab. p. 172*); Ebn Ezra "Rockscaler" (חרב חרב); Ar. Erp. لشرى (comp. Onk., Syr.); Engl. Vers. bald locust; Michael. Heuschrecken nach der zweiten Häutung.

3. חרב — Onk., Syr., Saad., Abus., Ar. Erp., חרב; Jon., Sifra, Talm. (Chull. 65^b), חרב; or חרב; Talm. l. c. a species having both a "hump" and a tail; Samar. חרב (the *walking or leaping* locust); Sept. οφιομάχης, and Vulg. ophiomachus ("the serpent-killer"), an unwinged species attacking serpents in the neck; comp. Plin. XI. 29 or 35; Gr. Ven. ἀττάλας (comp. Arist. Hist. Nat. V. xvii. 2; xxiv. 3; Plin. XXIX. 4 or 29, adversantur scorpionibus locustarum minumae sine pennis, quos attelebos vocant; Cyrill. and Hieron. ad Nah. III. 17); Engl. Vers. beetle; Michael. Heuschrecken nach der dritten Häutung; Bunsen, Grashüpfer (Gryllus verrucivorus or papus).

4. חרב — Sam., Onk., חרב; Jon. חרב, חרב (a kind of locust called Nidduna), or (in Num. and Isai. II. cc.) חרב; Sifra חרב (the "Leaper"); Talm. (l. c.) חרב, or a species having

a tail but no "hump"; *Sept.* *dxplc*, *Vulg.* locusta; *Saad., Ar. Erp.* جندب, and in Num. 1. c. جراد, the general name for locust; *Engl. Vers.* grasshopper; *Michael.* Heuschrecke nach der vierten Häutung; *Luzzatto* grillo; *Bunsen* Heupferd.

Some translators (as Luther, Dathe, De Wette, and Zunz), attempting no version whatever, retain the Hebrew terms, and we have partially followed their example. The fourfold addition of *וְכָל חַי חַיִּים* or *וְכָל חַיִּים* may be explained from passages like Joel I. 4 and II. 25, where as sub-genera of *חַיִּים* are mentioned *חַיִּים*, *חַיִּים*, and *חַיִּים* (comp. Ex. X. 13, 19 with Ps. LXXVIII. 46; CV. 34; see also 1 Ki. VIII. 37; Nah. III. 15, 16; 2 Chr. VI. 28); although attempts have been made to prove, that the four terms both in Joel and in our passage merely represent four different metamorphoses or ages of the chief or migratory kind of locust (so *Credner* and *Meier* on Joel II. cc., *Michaelis*); in our law certainly the insertion of "after its kind" which follows each name militates against such an opinion (comp. *Oedmann*, *Samm-lungen*, II. 113 sqq.; *Hitzig* on Joel). — *וְכָל חַיִּים* (in ver. 24, "and by these you are rendered unclean") clearly points to the preceding injunctions — to those on the "winged creeping things" (vers. 20 sqq.); it is possibly even meant as a conclusion to the whole anterior section on the unclean quadrupeds, fishes, birds, and *חַיִּים*; for the detail with respect to this last class of creatures (vers. 21 sqq.) was probably the earliest addition made to the original law as preserved in Deuteronomy (see p. 125). It is impossible to refer *וְכָל חַיִּים* to the following verses (so *Siphra*, *Raschi*, *Luzzatto*), because, in that case, the commands on "winged creeping things" would be incomplete, as they would be without provisions with respect

to touching or carrying their carcasses; while, on the other hand, the commands on the unclean quadrupeds (vers. 26 sqq.) would have such regulations twice, and in the identical words (vers. 24, 25, and vers. 27, 28). — Later Judaism, holding the washing of garments insufficient when carcasses of unclean animals have been carried, supposed that, in such cases, the command of bathing the body is always implied as a matter of course, and is only omitted for the sake of brevity (in vers. 25, 28, 40; so *Ebn Ezra*, *Nachman*, a. o.); indeed some Codices of Kennicot and the Samaritan text add in vers. 25 and 40, *וְכָל חַיִּים* after *וְכָל חַיִּים*, and in ver. 40 some copies of the Sept. insert *καὶ λούσεται ὕδατι* (comp. *De Rossi* Var. Lect. I. 95). Considering the full and studiously minute detail of our chapter, it is not probable that so important an injunction would have been suppressed, had it been deemed requisite; even in describing the lustrations necessary after having eaten of an unclean carcass, the text makes no mention of bathing; it uses in fact the identical formula with regard to carrying and eating (ver. 40); and even *Ebn Ezra* (on ver. 39), evidently weighing this circumstance, remarks that "he who carries the carcass of an ass, defiles himself as much as he who eats of it, since both carry it alike, the one externally, the other internally." Yet the vast difference between these two modes of "carrying carcass" could not fail to strike *Ebn Ezra* himself, and he declared soon afterwards (on ver. 42), with other Jewish authorities, that "the consumed food turns to flesh in the body of the consumer" (see p. 124). It is only in a later section that bathing is prescribed after partaking of unlawful food; it is there insisted upon with manifest emphasis (XVII. 15,

26. Every beast whatsoever that is hoofed, but is not clovenfooted, nor chews the cud, *shall be* unclean to you: every one that touches them shall be unclean. 27. And all *animals* that go upon their paws, among all the beasts that go on four, they *shall be* unclean to you; whosoever touches

16; see *infra* notes on vers. 39, 40); and it is ordained in several other cases of defilement, either alone or together with washing of garments (see "The Laws of Purification" before ch. XII). Rabbinical interpretation decided that defilement is caused in all cases by *carrying away* or removing an unclean carcass, whether it be touched or not; but that in case of merely *bearing* without removing it, defilement ensues only if it has been touched (comp. *Rashbam* on ver. 28) — which subtle distinction is without Biblical support; so *Jonath.* וְנִשְׁאָר, Michaelis "wer es wegträgt, es auf die Seite zu schafffen", Luzzatto chiunque alza (anche senza contatto) del loro cadavere. — Uncleaness is caused by carrying *any portion* of the carcass, וְכִלְיָהּ, and not only by taking up the whole body, וְכָל־הָבָר; the latter reading occurs in vers. 28 and 40, and is, in our passage, expressed by the Sept. and Syr., and found in some Codd.; the difference is unimportant, since both readings nearly coincide in sense.

26—28. The quadrupeds have before been treated of (vers. 2—8), and it might seem with sufficient perspicuity and completeness. However, it appeared to the levitical author, that quadrupeds had indeed been fully considered in reference to the laws of diet; but this aspect was to him of minor importance compared with ritual cleanliness or uncleanness in connection with food; therefore, he inserted, from this latter point of view, some characteristic regulations with respect

to quadrupeds both of the clovenfooted and the one-hoofed orders (*bisulca* and *solidungula*, ver. 26), and to those furnished with claws (*unguiculata*, ver. 27). He speaks of the unclean species only; he does not even mention eating; he forbids touching and carrying the dead bodies; and prescribes, in cases of defilement, the same lustrations as before, viz. uncleanness till the evening and washing of garments; but not bathing of the person (see *supra*). He certainly deserves the credit of strict consistency. It is well-known that all the proper carnivora and the rodentia are unguiculated; but in some of their species the hands and feet are so united with the limbs above, that the animal bears upon its soles, that is, "walks upon its palms" (וְעָלָה עַל־כַּף־רַגְלָהּ), whereby it acquires a firmer footing, but loses in agility; these are the *plantigrades*, to which belong the insectivora (as hedge-hog and mole), the bear, the elephant, and the hippopotamus. But in other cases, the bones of the feet are so connected with those above as to form with them nearly a continuous line, in which case the animal rests solely upon the points of the toes; these are the *digitigrades*, to which belong most of the carnivora, as the cat, the dog, the lion, and the wolf. Whether our text separates these two kinds of animals, or whether it groups some of the latter kind with the former, cannot be decided; certain it is that Jewish tradition confounds both, and reckons among the *plantigrades* both the bear and the lion.

their carcass, shall be unclean until the evening; 28. And he that bears their carcass, must wash his clothes, and be unclean until the evening: they *shall be* unclean to you.

29. And these *shall be* to you the most unclean among the creeping things, that creep upon the earth: the weasel

PHILOLOGICAL REMARKS. — The particle $\frac{1}{2}$ in $\frac{1}{2}$ (ver. 26) has the force of generality comprising all the animals of the class mentioned (comp. vers. 42, 46; V. 3, 4; XVI. 16; Gen. IX. 10; Ex. XXVIII. 38; Num. XVIII. 9); or it may be taken in the sense of "in reference to" (Gram. § 105. 3); it is in any case unnecessary to adopt the easier and therefore suspicious reading $\frac{1}{2}$, offered by several codices, and conveyed by some translations (as the Syr.): the Sept., combining both readings, renders καὶ ἐν πᾶσι ($\frac{1}{2}$). — Misled by the erroneous conception of $\frac{1}{2}$, which was supposed always to mean "to have a *parted hoof*", whereas it often signifies "to be hoofed" in general (see on ver. 3), many translators have failed to express the correct sense of the twenty-sixth verse; some understand animals "that *divide* the hoof but are not *thoroughly* clovenfooted", such as the camel was considered to be (so Onkel., Engl. Vers., De Wette, a. o., see *supra* p. 134); the Septuagint, assuming a mistake in the Hebrew text, renders $\frac{1}{2}$ by καὶ ὅνυχας ὅνυχας, omitting $\frac{1}{2}$; and others unscrupulously leave out $\frac{1}{2}$ (so Dathe). — It is a matter of course that unclean animals defile by their touch only when dead, in whatever way they may have died or may have been killed (Rashb., Nachman. $\frac{1}{2}$), for asses, horses, camels, and other "unclean" animals could be freely employed; many codices have indeed $\frac{1}{2}$ instead of $\frac{1}{2}$ (*De Rossi*, Var. Lect. I. 95); and the Sadducees ac-

tually extended the prohibition to the living animals (comp. *Ebn Ezra* in loc., see also *supra* p. 129). — The words $\frac{1}{2}$ denote the plantigrade animals, having a foot like a hand ($\frac{1}{2}$, comp. 1 Sam. XXV. 29; Sept. ἐπὶ χερσὶν αὐτῶν; Targ. Onkel. $\frac{1}{2}$; Jonath. $\frac{1}{2}$).

29—38. Of the large class of "creeping things" ($\frac{1}{2}$), which are all unclean, only those with wings have hitherto been considered (vers. 20—25); but those "creeping on the earth" could not be passed over in a code meant to serve as a complete guide (see p. 51). Among the latter class, certain species were held to be pre-eminently polluting, and appeared to require regulations of exceptional strictness. They are here introduced so exclusively in reference to levitical purity, that eating, which is out of the question, is not even mentioned. We have before pointed out the character of these extraordinary ordinances (p. 102); they will be sufficiently understood from the Summary and the translation; and no one can fail to be struck by their casuistic minuteness and subtlety. A few remarks only are needed in this place. Touching the carcass of the eight animals causes uncleanness till the evening; and carrying it probably requires washing of garments, though that contingency is not mentioned. Vessels of wood and metal, and stuffs and textures of any kind, upon or into which such carcass falls, are to be cleansed by water; but vessels of earthenware, which were unglazed among the Hebrews, are to be broken,

and the mouse, and the land-lizard after its kind, 30. And the water-lizard, and the hardun, and the gecko, and the

since the uncleanness of the carcass is supposed to penetrate into the utensils through their pores and to taint them irremediably (see Comm. on Levit. I. pp. 543, 544): in any case, the contents of the vessel become unfit for use. Now if *dry* food falls into an earthen vessel defiled by contact with a carcass, it is thereby not contaminated; but if the food has been prepared with water, it is considered to imbibe by the moisture the unclean matter absorbed in the vessel, and is therefore, if put or dropped into such utensil, forbidden as unlawful. For similar reasons, any drink is disqualified that is poured into a vessel so polluted, of whatever material the vessel may be, whether of wood, metal, or earthenware; for the fluid is in all instances believed to draw out, and to mingle with, the latent impurity. Analogies to these peculiar ordinances are not wanting. If a Brahman touches a human bone moist with oil, he can only be purified by bathing; but if the bone is not oily, stroking a cow suffices, or looking at the sun, in addition to sprinkling the mouth with water (*Manu* V. 87; see notes on XV. 1—15, esp. ver. 12). A Mohammedan is not defiled by touching with a dry hand a dry corpse, but is unclean if either the hand or the corpse is moist (*Nieb. Beschreib. v. Arab.* p. 40); and he considers himself impure even by the touch of a dog's wet nose (see p. 96). — As the baking and cooking utensils were, as a rule, simply earthenware, they were also thoroughly polluted by the contact with unclean carcasses, and were in such case to be broken in pieces as utterly unfit for further use (see Comm. on Lev. I. pp. 482, 483). The heat to which

they are ordinarily subjected, was held, like the water in other cases, to preserve the impurity and to communicate it to the victuals prepared in them. Wells, cisterns, and similar receptacles, are not contaminated by carcasses, because the water, constantly renewed, neutralises or infinitely dilutes the defiling matter: whether practical considerations, such as the scarcity of water in eastern climates, helped to recommend this apparent leniency, it is difficult to decide; yet the carcasses themselves, when taken out of the water, remain unclean, and defile those who touch them. Dry seeds were considered, not to be pervious to impurity by contact, whereas seeds soaked in water were deemed to be so; therefore, the former remained clean, if touched by a dead body, the latter were defiled; and a similar distinction between defiling objects in a dry and moist state still prevails among the Arabs and other nations. In this manner the strange playfulness of these ordinances is brought to a fit conclusion. They bespeak an age of decline, when the freshness and enthusiasm which create new ideas had vanished. Their non-introduction by the Deuteronomist is, therefore, not owing to his "late time" supposed to have no longer required them, but to very different reasons (see p. 126). That the eight animals here enumerated were looked upon as causing peculiar and intense defilement second only to that produced by a human corpse, cannot be doubted from the tenour and phrasing of the commands; and the matter has by Jewish tradition invariably been so considered. According to the Talmud and

chomet (lizard), and the chameleon. 31. These *shall be* to you the most unclean among all creeping things: whosoever

Targum Jonathan, not only their carcass, like that of other unclean creatures, pollutes both men and vessels by mere contact, but even their skins are defiling, whereas the skins of other unclean animals may be freely touched and used (see on vers. 39, 40); they infect earthenware vessels even when falling into them alive, whereas the other "creeping things" cause pollution only if dead; and stripes are forfeited by eating a piece of their flesh not larger than a lentil, whereas the seize of an olive is the ordinary measure with respect to other unclean meat (comp. *Maimon. De Cib. Vet.* II. 6 sqq.; *Hotting. De Jur. Hebr.* pp. 209, 224; also *Targ. Jonath.* in vers. 29, 31, 32).

But why were those creatures regarded with such exceptional abhorrence? Why were they described and treated as the incarnation and the very types of uncleanness? This question can only be answered when the Hebrew names have at least approximately been identified.

1. With regard to the first animal — *חֹמֶת* —, tradition fluctuates between the mole and the *weasel*; but probability is in favour of the latter, for this alone suits the passages of the Mishnah and the Talmud in which that term (*חֹמֶת*) occurs. And the weasel (*mustela vulgaris*) deserves indeed to be classed among the most obnoxious animals. Though the smallest and most slender of the carnivora, it yields to none in fierce courage and bold rapaciousness. It sometimes even attacks horses and men, and seems in the East to have been considered dangerous to sleeping children and human corpses (*Talm. Shabb.* 151^b; *Rashi* on *Taan.* 8^a).

Among the birds of prey, it fears the largest only, such as the hawk; to the others it is no contemptible opponent; and it engages in desperate fights with much stronger quadrupeds. It is indeed a truly formidable robber; aided by its diminutive size and remarkable agility, it causes fearful ravages among the smaller mammals, such as mice and rats, moles and hamsters, hares and rabbits, which it kills for their blood rather than their flesh; it wages successful war against fowls and pigeons, larks and other birds, and all kinds of insects; against lizards, deaf adders, and water snakes; against fishes and frogs; and it even knows how to obtain the flesh of the lobster. In fact, hardly any of the smaller animals escape its indefatigable aggressiveness; for it is a master in running and climbing, jumping and swimming, turning and eluding; it glides into the smallest holes, and makes its way through the narrowest fissures; and it possesses every possible facility for giving effect to its insatiable destructiveness. In addition to this, the aversion entertained against the weasel was fostered by strange fables and inventions; for instance, that it conceives through the ear, and brings forth its young through the mouth — a fiction based on the simple observation that the mother carries her very small offspring from place to place in her mouth, as the cat does (see *supra* p. 60) —; or that its very touch causes ulcerous eruptions, especially in cows. If it be added that the weasel has a strong and disagreeable smell, that it selects for its retreats mostly dark recesses, as caverns, hollow clefts of walls and rocks, the

touches them, when they are dead, shall be unclean until the evening. 32. And upon whatsoever *anything* of them

interior of dunghills, the holes of the mole where it hides bright objects which it delights in stealing, and that it was superstitiously employed for divination (*Talm. Sanh.* 66^a): it will not be difficult to account for the intense dislike with which it inspired the Hebrews. For, to sum up, it is rapacious and thievish, drinks blood with predelection, is repulsive in smell, and lives in darkness. All this weighed too heavily with the Hebrews to be counterbalanced by the beneficent effects of the weasel's destructiveness, which is largely directed against rats and fieldmice.

[The fact, the force of which cannot be denied, that the Arabic name for *mole* is still *خلد* or *خلد*, as *חֹלֵד* is rendered by the Arabic translators (Saad., Abus., Ar. Erp.), is outweighed by the consideration that not mole but *weasel* is applicable in the passages of the Mishnah and Talmud, in which it is said that the *חֹלֵד* kills other beasts of prey larger than itself and fowls (*Mishn. Tohar.* IV. 2, 3; *Chull.* III. 4; *Talm. Chull.* 52^b; see, however, *Pesach.* 8^b), and succeeds mainly on account of its pointed and hooked teeth with which it breaks through the skull and its skins (*Talm. Chull.* 56^a), that it lives in deadly enmity with the cat (*Talm. Sanh.* 105^a), is of surprising shrewdness and cunning, laps water from a vessel (*Mishn. Par.* IX. 3), and feeds voraciously, and even excessively, upon flesh (*Talm. Pesach.* 9^a; comp. *Brethm* l. c. I. 544—549): yet it must be observed that the word *חֹלֵד* (*Mishn. Moed Kat.* I. 4), which undoubtedly is mole (*חֹלֵד מִן הַחֲמִשִּׁים*, *Talm. in loc.* 6^b), is in the Talmud of Jerusalem explained by *חֹלֵד* (viz. *חֹלֵד מִן הַחֲמִשִּׁים*, fol. 80^b ed. Krotsch.).

In some other passages, the "large weasel" or the ermine (*mustela erminea*) seems to be intended (*Mishn. Kilaim* VIII. 5, *חֹלֵד מִן הַחֲמִשִּׁים* *mustela rubrorum*; *Talm. Bab. Kam.* 80^a; comp. *Lewysohn, Zoologie des Talmud*, pp. 94, 95). *חֹלֵד* (from *חָלַד* to glide, to creep in) has, besides, been rendered *mole* by Bochart; Dathe, Michaelis, De Wette, Zunz, a. o.; but *weasel* by the Sept. (γαλῆ) and Vulg. (*mustela*), Onkel. (*חֹלֵד*), Syr. (*ܡܫܬܠܐ*), and Jon. (*חֹלֵד*, comp. *Talm. Sanh.* 105^a), Rashi (*חֹלֵד*, *moustille*) and Kimchi (*חֹלֵד*), Luther and Engl. Vers., Gesen. (see *The-saur.* pp. 474, 475), Sommer (*Abhandlungen*, I. 260—263), Knobel, Luzatto, Bunsen, a. o.]

2. The next name — *חֹמֶסֶת* — is undoubtedly the common *mouse*, or more especially the *field-mouse*. The latter was so much dreaded for the ravages it causes in fields and meadows, that it became the very type and picture of destruction. The word mice is in the Bible simply explained as "destroyers of the earth" (1 Sam. VI. 5). When the Philistines, after having seized the Ark of the Covenant, were smitten with pestilential boils, they sent as an offering of atonement, besides golden emerods, golden figures of mice, the former denoting the special misfortune from which they were suffering, the latter characterising that evil as ruinous devastation in general (1 Sam. VI. 5; comp. V. 6); for we are not warranted to assume that the Philistines had been visited by a plague of mice also. The mouse was the Egyptian hieroglyphic for destructiveness (*δρακονόε*), "because, gnawing at all things, it damages and spoils them" (*Horap.* I. 50); and it would be unnecessary to repeat the testimonies of ancient

falls, when they are dead, that shall be unclean; whether *it be* any vessel of wood, or garment, or skin, or sack, what-

and modern writers as to the fearful havoc that has often been wrought by the most edacious and prodigiously prolific field-mice, engendering famine and disease, and forcing the inhabitants to emigrate (comp. *Boch. Hieroz. I. lib. III. c. 34*). Among the Greeks, mice were sacred to Apollo in his attribute as destroyer ('Απόλλων — ὁ ἀπολλύς τὰ ζῷα, *Macrob. Sat. I. 17*). The fatal injury they inflict upon all kinds of fields was recognised in later Judaism by the permission granted to proprietors to kill them by any means on the middle days of Passover and Tabernacles (*Talm. Moed Kat. 6^b, 7^a*; comp. *Orach Chajim* § 537. 13); they received the appellation of "wicked mice" (מְרִיכִים מְרִיכִים), because, whenever they see grain, they call all their tribe together and feast till nothing is left (*Talm. Jer. Bab. Mets. 11^a*); and even the common mice stood in great disfavour because "an evil instinct" compels them to gnaw at objects which they cannot eat, as garments, wood, and skins, and to bite even into human corpses; and a person eating food that has been touched by a mouse, was believed to suffer loss of memory (*Talm. Horay. 13*; *Shabb. 151^b*). Hence at certain heathen rites, especially those performed in honour of the dead, the flesh of mice was freely eaten, though it may otherwise have been shunned; and after the Babylonian exile, the Jews, adding new superstitions to their many old forms of idolatry, practised that custom also, and conciliated death, the most implacable of all destroyers, on graves and in cavern tombs (*Isai. LXV. 4*; *LXVI. 17*; *Comm. on Lev. I. p. 376*). Moreover, a thievish propensity manifested by pilfering coins, rings, and

other bright objects (*Talm. Sanh. 20^b*), avoidance of day and light, and a predatory life in secret holes, probably strengthened the antipathy with which the restless destructiveness of the mouse impressed the Hebrews.

[All ancient versions, we believe without an exception, render מְרִיכִים by *mouse*; and there is no reason whatever to understand *springing hare* or *Serboa* (*Dipus jaculus*, so *Bochart, Gesen., Rosenm., Knobel, Bunsen, a. o.*), a clean and harmless animal, which would hardly have been counted among the detested and polluting creatures, and the chief species of which (*Pedetes caffer*) is mainly found in the southern parts of Africa (comp. *supra* p. 132; *Brehm l. c. II. 191—194*). Whether the etymological meaning of מְרִיכִים is "destroyer of the field" or "of corn" (מְרִיכִים, *Bochart, Gesen., a. o.*), must remain undecided.]

3. Perhaps the most interesting and most extraordinary of all the Reptiles are the *Sauria*. In the earlier periods of the earth's history, they peopled the water in the hugest and most wonderful forms, and in looking at the petrified remains of the *Ichthyosaurus* or the *Pterodactylus*, we are astonished to find that these gigantic monsters combine the peculiarities of amphibia, fishes, and birds. Their present representatives are indeed smaller in size and simpler in structure, but still most remarkable for their number, shape, and habits. Of the three classes in which the *Sauria* are naturally divided — the *Armed lizards* (*Loricata*), the *Scaly lizards* (*Squamati*) and the *Snake-lizards* (*Annulati*), the second have the most numerous varieties and are most

soever vessel *it be*, wherein *any* work is done, it must be put into water, and it shall be unclean until the evening;

widely diffused, and it is probably families of Scaly lizards which are intended by the next words, "and the אָר after its kind": for lizard or "land-crocodile" is the most uniform rendering of the ancient versions; and a certain harmless kind of yellow lizard, known as *lacerta Aegyptia*, about 18 inches long, living in deserts, but never in the water, and eaten by some Bedouin tribes in Africa and Syria, is still called *dhab* or *dhob* (دُوب). But it would be difficult to fix upon one particular species, and we must include the whole tribe, the characteristics of which are indeed such as to justify its place in our list. The body of the lizards is certainly, as a rule, divided into head, neck, trunk, and limbs, but sometimes the limbs, if not entirely wanting, are so stunted, that the creatures resemble serpents. They move with agile rapidity, and by the aid of their tails are capable of taking considerable leaps. Many of them display their activity chiefly in the night, and their eyes are organised accordingly. They devour their food entire without mastication, apparently unmindful what they devour; a few only are satisfied with vegetable nourishment; most of them are beasts of prey, and murder and eat unhesitatingly their own young or other members of their order; the larger kinds assail all vertebrates, seize upon small and even larger mammals, and on birds or their nests, upon reptiles, amphibia, and fishes, and all kinds of the lower and smaller animals; in fact, "every lizard sees in any weaker creature of whatever class or tribe a welcome prey"; yet they have themselves many formidable enemies — the martens and serpents, vultures and eagles, hawks

and buzzards, owls and ravens, and not a few marsh- and water-birds. They eat enormously, though they can bear hunger for an astonishing length of time; some subsist without water for months, and to most of them the dew gathering on leaves or stones suffices. They are partly oviparous, partly ovi-viviparous, and bestow no particular care upon their offspring. Some of the larger kinds are eaten, and their flesh is declared palatable, though an old and unfounded prejudice branded some of them as venomous. It is unnecessary for our purpose to describe the numerous species, or even to characterise the different families of lizards — the Egyptian Warans (*Polydactili*), the Ameivae, the Lacertae, and the rest, especially as it is uncertain how many of them the term "after its kind" ($\text{אַחֲרֵי כַּדְּמֵהוּ}$) is intended to include. It is enough to have indicated those features of the order which, bearing upon the object of our enquiry, may well have struck the Hebrews as repulsive.

[Some ancient translators reproduce the Hebrew word אָר (so Onkel. אָר , Saad., Ar. Erp., دُوب), because this was in their time the current name for a species of lizard; the Sept. has $\text{προχέδαιλος χερσαῖος}$ (comp. *Plin.* XXVIII. 8 or 30 *crocodilus terrestris*), and the same animal seems to be intended by the Syriac ܐܪܝܐ , Jonath. ܐܪܝܐ , and the Samar. ܐܪܝܐ (comp. Arab. *حردوي*; see *in/ra*, and in general, *Bochart*, Hieroz. I. 1043 *sqq.*; *Brehm* l. c. V. 92 *sqq.*). Other translations of אָר are *toad* (Rashi in loc. צִפְּרִי *crapaud* "resembling the frog", or on *Talm.* Av. Zar. 40^a צִפְּרִי *coquille*, Luther, Luzzatto *rospo*, a. o.; comp. *Lenysohn*, l. c. pp. 230, 231),

and *then* it shall be clean. 33. And any earthen vessel, into which *anything* of them falls, whatsoever *is* in it shall be

or *tortoise* (Aruch, Engl. Vers., a. o.), or *crocodile* (Vulg.).]

4. With regard to the next creature — לָרֶמֶס — we feel no slight diffidence; the ancient versions disagree entirely; the etymology of “groaning” or “sighing” animal leads to no certain trace, and we have only the one slender clue that a large and strong river-lizard is in Abyssinia called *Angueg* or *Anguga* (Ludolf, Lex. Aeth. s. v.): if the Hebrew term לָרֶמֶס be identical with this name, it might be taken to represent the water-lizards, while the preceding word (לָרֶמֶס) would denote those tribes that live on the land. It is well known that the former kinds particularly utter a moaning or hissing sound, and some of them a croaking similar to that of frogs. Any attempt to determine the species would be the merest hazard.

[The divergence in the translations of לָרֶמֶס is indeed great; some render *shrewmouse* (Sept. $\mu\alpha\gamma\acute{\alpha}\lambda\eta$, Vulg. *mygale*, Bunsen *Spitzmaus*), others *hedgehog* (Rashi הֵרִיסֹן *hérisson*; see Rashi on *Talm. Chull.* 122^a; prob. Onk. מִרְמֵס , comp. *Lewysohn* l. c. p. 100), or *ferret* (Engl. Vers.), or *toad* (Luzzatto *la botta dal suono lugubre*), or *chameleon* (Gr. Ven.), or *Waral* (Ar. Erp. وَرَال), or *lacerta*, or *lacerta Gecko*, or *lacerta Nilotica*; Targ. Jon. has מִרְמֵס מִרְמֵס supposed to mean the *green lizard* (Fleischer, in *Levy's Chald. Wörterb.* II. 573, reads מִרְמֵס מִרְמֵס which he explains to mean a beetle “looking after serpents”, to free them from vermin; but a beetle is not מִרְמֵס מִרְמֵס .)]

5. Not more certain is the identity of the following name, לָרֶמֶס , which seems to point to some strong and

powerful animal; many ancient versions understand a kind of lizard, and Saadiab and Ben Gannach point more distinctly to the *hardun* (هَرْدُون , *Stellio vulgaris*), about a foot long, of various shades of yellow intermixed with darker spots; the body is slender and the tail comparatively thin, but provided all around with prickly scales; it is most frequent in northern Africa and the neighbouring countries, and is often seen, in dozens together, on stones and walls of houses, on which it climbs with remarkable adroitness, now stopping cautiously, and now briskly moving on, and then alternately raising its head and bending it down; which “nodding” of the head Mohammedans formerly considered as an irreverent mimicry of their pious devotions, and they therefore hated and persecuted the animal. Serpent tamers try their art on the *hardun* also.

[Many translate לָרֶמֶס by *chameleon* (so Sept., perhaps on account of the literal sense of $\chi\alpha\mu\alpha\iota\text{-}\lambda\epsilon\omega\nu$ “a lion on the ground”, a creeping lion in strength; Vulg., Engl. Vers., Bunsen), others *moloch* (Luther) or some other kind of lizard (Rashi ap. Kimchi s. v., Gr. Ven. $\sigma\alpha\iota\phi\alpha$, Bochart *genus lacertae stellioni simile* or the *Waral*, Dathe and Rosenm. *lacerta*, Kitto *lacerta scincus* or *scincus officinalis*, possessing a remarkable faculty of burrowing and concealing itself in the sand of its native deserts, and believed to have many curious medicinal properties, see *Brehm* l. c. V. 159, 160), or *frog* (Knobel, relying upon questionable similarities of sound with לָרֶמֶס , such as فَر frog, فَرَق and خَدَع , the imitative sounds of the frog's croaking, etc.), or *mole* (Luzzatto).

unclean; and the *vessel* itself you shall break. 34. Of all food which is eaten, *that* on which water comes [in such

On the hardun see *Brehm* l. c. V. 141, 142.]

6. The next term mentioned in our list — *תַּנְּזִי* — appears, in the later Jewish works, to be used as the generic appellation for all lizards, and it would, therefore, be most precarious to specify a particular family or kind: according to the Talmud, it has a thick, though soft and smooth skin; it lays eggs in which the yolk and white are not separated; occasionally it seems dead, but may be revived by pouring cold water over it; and its tail, if cut off, moves spasmodically for some time afterwards (comp. *Talm.* Shabb. 107^b; Chull. 122^b; Avod. Zar. 40^a). The ancient translations are not more distinct; they simply render "lizard", except that the Syriac fixes upon the salamander, which does not answer to the Talmudic description. Yet if we were sure of the authenticity of the Greek and Latin rendering (*δαλαβών*; and stellio), we should be justified in singling out the *gecko*, which was made the subject of many absurd fables originating in its alleged venomousness, and which, on account of its supreme ugliness and its nocturnal and predacious habits, was held in general aversion. The most far-spread species is the "wall-gecko" (*platydactylus fascicularis*), which is found in all countries on the Mediterranean; it is but five inches long, including the tail; the head is rough, the eye remarkably large, convex, and bronze-coloured, and the back dotted with small star-like warts (hence its Latin name stellio), each consisting of three or four small tubercles. It lives on walls and in rocks, on trees and in all parts of houses,

and often in large numbers together. It is active only at night, when, in pursuit of prey, it astonishes the observer by climbing with incredible nimbleness along perpendicular walls, and running, with the back downwards, along high ceilings, sometimes remaining suspended for whole minutes, and then darting forth again to seize some insect with unfailing certitude. It owes this wonderful faculty not, as has been supposed, to some slimy or glutinous substance on the feet, but to the peculiar velvetlike "leaves" or folds of skin inserted between most flexible toes, and enabling the animal to produce a vacuum, and thus to sustain itself by suction.

[The name *תַּנְּזִי* (from *נָזַב* in the meaning to cling, to hold oneself, comp. Arab. *نَظَّ* and *لَطَّ*) is either preserved in ancient versions (Onk., Jon., Sam.), or rendered lizard (Sept. *δαλαβών*, Vulg. stellio, Rashi *תַּנְּזִי* *לֵזָרְד*; and so Luther, Engl. Vers., Bochart a small species of *جحر*, Geddes gecko, Luzzatto, a. o.); or it has been understood to mean *salamander* (Syr. *ܬܢܝܐ*, perh. Saad. *تَنْزِي*, Bunsen), or *tortoise* (Knobel, comparing the Hebrew *תַּנְּזִי* with the Arab. *نَظَّ* which is properly frog), or a kind of *wensel* (*Siphra* fol. 52^a ed. Wien, Rabbi Jehudah says "the *תַּנְּזִי* is similar to the *תַּנְּזִי*"; comp. *Talm.* Chull. 122^b). On the gecko see *Brehm* l. c. V. 145—155.]

7. If we may trust a later Jewish tradition, the next creature — *שָׂנַי* — is the *snail*, for in this meaning, and comprising the testaceous kinds in contradistinction to *תַּנְּזִי* which denotes the naked ones (Ps. LVIII. 9), the word is used in Talmudical wri-

earthen vessel], shall be unclean: but all drink which is drunk, shall be unclean in *such* vessel of whatever kind.

tings, and understood by Rabbinical authorities (*Talm. Chag. 11^a*, and *Rashi* in loc.). We could certainly not be surprised, if the author, unbiassed by the glittering shells of many species, included in his list the clammy, slothful, and torpid creatures, which occur almost everywhere in an incredible number of varieties. But can he be supposed to pass with a bound from Reptiles to Mollusks, and then to return again to the Reptiles, since the next and last animal is most probably also a lizard? Those who presume a systematic arrangement, will rather accede to those ancient versions that render simply lizard without defining the species, which it would indeed be impossible to fix on the strength of the vague etymological meaning "contraction" or "compactness" (خُط).

[A few only of the ancient translators render צָחָל by *snail* (Samar., Gr. Ven., *Rashi* צָחָל or צָחָל limace, which term, however, denotes the naked snail, whereas the testaceous kinds are called limaçon, and so Engl. Vers., De Wette); others have some kind of *lizard* (Sept. σαύρα, Vulg., Syr. צָחָל, Saad., Ar. Erp. chameleon حُرْبَاء, Luther Blindschleiche; comp. Chald. צָחָל dense darkness, Bochart the blue "sand-lizard" צָחָל being supposed to mean sand, like the Talmudical צָחָל sandy tract Shabb. 31^a, Bunsen Sandeidechse), or *tortoise* (Luzz. tartaruga).]

8. The last of the eight most abhorred animals — צָחָל, once before mentioned among the unclean birds (ver. 18) — may with some confidence be interpreted as the *chameleon*; this animal certainly deserves the name of "breather" par excellence

(from צָחָל); for it eagerly inhales the air with open mouth, and often, especially when irritated, fills its immense lungs till the body is largely dilated, and becomes transparent; it frequently remains in this state for hours; and when it gradually breathes forth the air, it collapses and appears to consist only of skin and bones. The ancients supposed it to live entirely on air (*Plin. VIII. 33* or *51*; *XXVIII. 8* or *29*). In the formation of the head and the tongue, the feet and the skin, it differs essentially from all other kinds of lizard, the list of which it fitly concludes. Remarkable above all are its eyes, either of which can move independently of the other, so that while one looks upwards the other can look downwards — a flexibility in which the chameleon is singular among all animals, and which enables it to survey at once a very large area. Hardly less marvellous is its changeableness of colour, which is caused by two different pigments in and under the skin, the one white and yellow, the other dark-brown; and as both change their relative position or mingle with each other in consequence of excitement or fear, hunger or some other physical cause, they produce the various shades of white and yellow, brown and black, red, grey, and violet; though some parts of the body are exempted from these changes, and always keep their ordinary greyish-green colour. The common chameleon (ch. vulgaris) is found in many parts of Africa and Asia, and if eaten boiled, is considered to counteract leanness, if eaten dried to be a remedy against fever. It remains for days in lazy and almost mo-

35. And every *thing* whereupon *any part* of their carcass falls, shall be unclean; oven and stove shall be broken;

tionless torpor, clinging to the trunk of some tree, yet all this while it vigilantly looks out for prey, which it seizes with its dartlike tongue. Though capable of bearing hunger for months, it is greedy when occasion serves. In Spain it is kept in rooms as an efficient destroyer of troublesome flies. With the members of its own tribe it often engages in deadly feuds.

[From the time of Bochart, *רעפיל* has by many scholars been taken as *chameleon* (so Dathé, Gesen., De Wette, Knobel, Fürst, Luzzatto); but not a few ancient and modern interpreters render *mole* (so Sept. *δαμνία*, Vulg. *talpa*, Onk. *מאפא*, Rashi *מלכא טאפה*, Luther, Engl. Vers.); the Syriac has *centipede* (*קאפא*, an aquatic crustacean), Jonathan *salamander* (*מאפא*), and Saad. *gecko* *سام احوص* "veneno lepram inducens", the gecko being supposed to be most venomous. On the chameleon see *Brehm* l. c. V. 116—123.]

Why then were these eight animals, six of which belong to the lizard-tribe, held in such intense disgust? Because they recalled notions which to the Hebrew mind, especially in the Persian period, were singularly repugnant — the notions of night and darkness, of rapacity and destructiveness, and, all those creatures having very small feet, of low and groveling brutishness. They required to be guarded against all the more strongly, because most of them select their haunts in the very abodes of men. Some may, moreover, have caused aversion by their repulsive appearance, and some were shunned because believed to be dangerous even by their touch, though the fear is utterly unfounded, and the majority are use-

ful on account of their constant warfare against the insect world. With these reasons we must rest satisfied, if we desire to avoid doubtful speculations; thus it is impossible to prove whether the Hebrew legislator denounced the lizards because they were by impostors used for magical frauds and miraculous cures, accounts of which are given both by ancient and modern writers, especially with respect to Egypt. But it would be entirely unwarranted, because un-Biblical, to suppose that the Hebrews attributed the eight animals, not to the Creator of the Universe, but to some malignant or rival deity (see *supra* p. 63; comp. *Sommer*, *Bibl. Abhandl.* I. 269, 270).

PHILOLOGICAL REMARKS. — The article before the adjective, with a following, expresses the superlative (Gramm. § 89. 5, 6); thus *הטמא במאד* (Gramm. § 89. 5, 6); thus *הטמא במאד* or *הטמא במאד* (vers. 29, 31) is "the most unclean among the creeping things": the signal uncleanness inherent in the eight animals necessitates signal precautions. The usual translation, "these also shall be unclean to you", besides disregarding the article in *הטמא* and *הטמא*, leaves the very remarkable enactments which follow entirely unaccounted for; comp. also *Sommer*, *Bibl. Abh.* I. 260. — *הטמא* (ver. 31) is simply "when they are dead" or "after their death" (comp. ver. 39), and *הטמא במאד* is equivalent in sense with *הטמא במאד*; for it is indifferent with respect to their defiling effect, whether the animals enumerated have died of themselves or have been killed. Other explanations are necessarily artificial; f. i. "not only if they have died previously, but also if they die while

they *are* unclean, and they shall be unclean to you. 36. Yet a well and a cistern, *any* receptacle of water, shall be clean:

falling into the vessel" (Keil). — Targ. Jonath. expresses the Talmudical view that the eight creatures cause uncleanness only through an entire limb detached from their living body (דא-בריא דהחיה דא-חיה; comp. Jonath. in ver. 39, and *Sifra* in loc. אמר הוי"ה בן הוי"ה). The particle כל in כל (vers. 32, 34) has a partitive sense, meaning literally "any of all vessels of wood", "any of all the food" (as in IV. 2, etc.; see Comm. on Levit. I. 498). — The term כֵּל is sufficiently clear from a parallel passage (Num. XXXI. 20), where it is replaced by שֵׂעִיר דִּבְרֵי "stuff made of goats' hair" (comp. Matth. III. 4; Revel. VI. 12, etc.; Bashb. כל-כלי; Vulg. cilicia i. e. covering made of — Cilician — goats' hair; Farro, R. R. II. 11); therefore כֵּל is any texture of whatever kind except of horsehair; כל-כלי and כֶּסֶף (skin or leather of any sort, perhaps vessels of skin, not exclusively "trunks or baskets covered with skin") are intelligible in themselves; though by transposing the former and placing it before כל, the sequence of the words would be more logical. — The verb in כִּלְיָהוּ (masculine) is to be accounted for by the impersonal construction (Gram. §. 77. 15). — On the fact that the text employs (in ver. 33) כִּלְיָהוּ, and not כִּלְיָהוּ, the Mishnah (Sot. V. 2) fancifully bases the conclusion, that an object, which has become unclean by falling into an earthen vessel contaminated by כֶּסֶף (which is "the first" or "the father of the uncleanness" אב-הטומאה), renders, in its turn, any third object unclean by contact (כל-כלי טמא טמא) — which is by the Talmud restricted to the case when the third object is כִּלְיָהוּ: but it needs hardly

be observed, that כִּלְיָהוּ and כִּלְיָהוּ are used without difference of meaning (comp. vers. 24 and 25, 27 and 28, etc.); moreover, it would be necessary to read כִּלְיָהוּ (the causative), instead of כִּלְיָהוּ. — As a curiosity, and to characterise a school of interpreters which might have seemed impossible in our time, the explanation of Baumgarten may be quoted (Comm. II. 159): "The command that earthen vessels must be broken, appears to have been suggested by the consideration that, as the earth was specially placed under the curse (Gen. III. 17), the earthen utensils are specially liable to the reception of uncleanness"! — That "Moses" was "unfavourably disposed to earthen cooking utensils", and desired to accustom the Hebrews rather to the use of copper ones, which "are solid wealth", and could not be dangerous to a very cleanly people (*Michael*. in loc. and in Mos. R. IV. pp. 220, 221, 223), can neither be inferred from our passage nor from a preceding one (VI. 26); the great cheapness of earthen vessels and the comparative rarity of cases such as stated in the text, could hardly render the law oppressive in reality, however rigid it may be in spirit. — Talmudical speculations as to the instances when the interior of vessels becomes unclean, and when the exterior, may be found in Chull. 24^b, 25^a; Pesach. 20. Our text mentions, for intelligible reasons, external defilement only in reference to wooden or metal vessels, and internal pollution only in reference to earthenware; but vessels of the former description required cleansing with water, those of the latter kind were to be broken, whether the carcass fell

but he who touches their carcass, shall be unclean. — 37. And if *any part* of their carcass fall upon any sowing

upon or into them: this latter difference had no influence whatever upon the treatment of the utensils. — The words וכל כלי ירד (ver. 33), standing in juxtaposition to כל כלי (in ver. 32), begin the sentence emphatically, as an absolute nominative, though thereby an irregular construction or inversion is necessitated ("and every earthen vessel, whatsoever is in it"; see Gram. § 75. 5); and it was probably this irregularity which induced the Vulgate to leave out the words כל אשר ירד, by which omission a normal construction is effected (כל כלי . . . ירד). — The word כלי (ver. 33, "anything of them") proves that here also not the living animals, but their carcasses are alluded to, so that כל אשר ירד must be supplied as in ver. 26; comp. ver. 32. — The 34th verse is indeed not without obscurity, on account of its elliptical brevity; but the sense seems unquestionable from the context. Both parts of the verse, of course, treat of vessels defiled by an unclean carcass, but the first part refers to earthen vessels, like the whole of the preceding verse, and the second part to "vessels of whatever kind" (כל כלי), which words have antithetical force: thus the difficulty disappears, we can dispense with the numerous strained explanations that have been ventured, and we certainly do not require the alteration of כלי into כלי, the supposed original reading (so Vater). כל אשר ירד is simply "that on which water comes" (comp. ver. 38; so Onk., Sept., Vulg., Rashi, Keil, a. o.), not "such water" (so Luth., Engl. Vers., Rosenm., De Wette, Knobel), for if the water before mentioned, in which the defiled vessels were cleansed, were

meant (ver. 32), not כלי but כלי, or rather כלי, would be demanded; nor "water from such vessel" (*Augustin.* Quæst. in Lev. XXXVII, Bunsen); for the antithesis is with כל כלי, and we have to supply rather "in such vessel", viz. of earthenware. In the second half of the verse, the Masorites have indicated the correct interpretation by the distinctive accent (zakeph-katon) on כלי, thus separating this word from the following כל כלי. The meaning is, therefore—drinkable fluids become unclean, if put into any vessel polluted in the way described, irrespective of the material, whether this be porous or not. The usual version, offered by most ancient and modern translators (Onk., Jon., Sept., Vulg., Luth., Buns., a. o.), "all drink which may be drunk in any such vessel", though indistinct, may imply the right sense; but erroneous are the renderings "all drink which is drunk out of such vessel" (De Wette, Knobel); or "drink that is to be drunk out of a vessel" (Michael), where כל in כל כלי is not translated at all; or "all drink that is preserved in any vessel" (Dathe), which attributes to כלי an impossible meaning; or the explanations "if such a dead animal has fallen upon the food or the drink", but the carcass had before fallen into the vessel, while the food and drink are in themselves clean; or "every drink that is drunk out of any vessel, and is poured into such unclean earthen vessel, becomes unclean" (Rashi, a. o.), where the ellipsis would be unparalleled, and כל כלי extremely languid, if not superfluous. — Both כלי and כלי (ver. 35) are, from the context, evidently vessels, and that earthen vessels, not only

seed, which is to be sown, it *shall be* clean. 38. But if *any* water be put upon the seed, and *any part* of their carcass fall thereon, it *shall be* unclean to you.

because they can be broken in pieces (קִרְיָן), but because they are ritually considered and treated like the earthen vessels mentioned in the preceding verses; they are probably portable or moveable, especially the latter: for אֶפְרַיִם (ver. 35) is *oven*, principally for baking bread (comp. XXVI. 26), or *baking-pot* for making thin, usually unleavened cakes (comp. II. 4; *Sept.* aptly κλῖβαι; see Comm. on Lev. I. 482, 483); and אֶפְרַיִם (kindred with אֶפְרַיִם furnace, אֶפְרַיִם brasier Zech. XII. 6, or stewpan 1 Sam. II. 14) is a portable *stove* or *chafing dish* heated within, and probably furnished with a lid, or consisting of an upper and a lower part (whence the dual form of אֶפְרַיִם; *Sept.* appropriately χυττό-ποδοί; comp. *Hes.* Op. 746). *Onkelos* retains both words; *Targ. Jonath.* renders the second by אֶפְרַיִם i. e. fire-pot (comp. *Levy*, *Chald. Wörterb.* II. 548, 581); the *Syr.* by אֶפְרַיִם, that is, the place on which the pot is put; *Arab.* مسترق hearth; *Ebn Ezra* range for baking and cooking; *Luther* Ofen oder Kessel; *Engl. Vers.* oven or ranges for pots; *Bunsen* and *Knobel* Backtopf and Dekelpfanne (or Kasserole); *Michaelis* less plausibly Backofen and Casserol-Löcher (explaining: "the Orientals commonly dig, or rather construct by brickwork, round holes in the ground, in which they cook, roast, and bake"). The Mishnah (Shabb. III. 1, 2) distinguishes three kinds of ovens (1.) the אֶפְרַיִם, which is oblong, so made that two pots can be placed upon it, and that the fire burns beneath both (whence the dual form אֶפְרַיִם is accounted for); (2.) the אֶפְרַיִם, wide at the bottom and narrow at the top, devised to keep the heat longer; and (3.) אֶפְרַיִם, a square and hol-

low structure made for one pot only to be placed upon it, with a small aperture at the top, and keeping the heat better than the אֶפְרַיִם, though not so well as the אֶפְרַיִם (comp. *Talm.* Shabb. 38^b, 125^a; *Mishn.* Kelim V. 1 sqq.). — The singular of the verb אֶפְרַיִם (ver. 35) following the nouns אֶפְרַיִם is more uncommon than the reverse order, although in that case also the verb may be taken impersonally (see *Gramm.* § 77. 15). — The words אֶפְרַיִם (ver. 36) are a generalising apposition to the preceding phrase אֶפְרַיִם "a well and cistern, any receptacle of water" (comp. *Ebn Ezra* in loc.); they ought, therefore, not to be provided with the copulative ; (so the *Sept.* καὶ συναγωγῆς ὕδατος; *Luther* die Brunnen und KÖlke und Teiche; a. o.; more correctly, as regards the sense, *Vulg.* et omnis aquarum congregatio). Jewish tradition urges that, to enjoy immunity from pollution, the receptacles of water must, what *de facto* usually is the case, be fixed in the ground (*Rashi* אֶפְרַיִם לֹא יִהְיֶה לִּזְזָא, *Luzzatto* che non sia mobile), because then only sufficient changes in the water can be expected to counteract the effect of the carcass. — The words אֶפְרַיִם אֶפְרַיִם "and he who touches their carcass, shall be unclean" (ver. 36), cannot express a general rule respecting the unclean carcasses here treated of; for that rule has before been clearly stated (ver. 31); after which follow special regulations the continuity of which would be interrupted, unless those words be taken to form a part of them. In connection with the first half of the verse, they can only mean that, though the water into which the carcass has fallen remains clean,

39. And if any beast, of which you may eat, die, he that touches its carcass shall be unclean until the evening. 40. And he that eats of its carcass shall wash his clothes, and be unclean until the evening; and he that

the carcass itself preserves its uncleanness, and pollutes those who touch it, whether in the water or after its removal from it. The wording may be abrupt, and the regulation itself curiously subtle, but neither the one nor the other justifies us in rejecting, as a spurious interpolation, a sentence, the spirit of which is completely in harmony with the whole of this portion (comp. *Talm. Nedar.* 75^b; *Targ. Jonath.*; *Rashi*; *Luzzatto*; a. o.). But it is against the Hebrew usage to explain, with *Ebn Ezra*, "and the water that touches their carcasses, shall be unclean"; for *וַיִּשְׁפָּךְ* has in the first part of the verse too subordinate a grammatical position to be supplied as the subjective case in the second; besides, in the first part the water is declared clean, for the terms *וַיִּשְׁפָּךְ* and *וַיִּשְׁפָּךְ* do not merely point to the receptacles, but mainly to their contents, or the water, as the qualifying words *וַיִּשְׁפָּךְ* prove. — The "seeds" (*זֵרַע*) here treated of (vers. 37, 38) are evidently, as most interpreters admit, such as are intended to be sown, but are not yet put into the ground (*וַיִּשְׁפָּךְ* *וַיִּשְׁפָּךְ*). If the water of a well or a cistern cannot be permanently defiled, how much less living plants which constantly derive new elements of growth from below and new moisture from above. Therefore the Biblical enactments bear out the Rabbinical rules, "Whatever is fixed in the ground (*שֶׁנֶּחֱדָשׁ*) does not take uncleanness", and "Plants are incapable of uncleanness unless they have been gathered", for "else there would be no clean plant whatever, since there is none, near or upon which some un-

clean creeping thing is not found" (*Siphra* fol. 56; *Talm.* 118^b and *Rashi* in loc.). *Targum Jonathan* renders explicitly, "If any part of their carcass falls upon any seed that is sown in the manner in which it is commonly sown, that is, in its dry state, it is clean" (*וְאִם יִפֹּל מִמֶּנּוּ עַל זֵרַע שֶׁנֶּחֱדָשׁ*). *Luzzatto*, taking *וַיִּשְׁפָּךְ* as a "vegetable product", and hence *וַיִּשְׁפָּךְ* as "that has been sown", explains "quel prodotto attaccato al suolo è puro"; which would imply a questionable ellipsis. It is clear from these remarks that the words *וַיִּשְׁפָּךְ* (*ver.* 38) cannot be understood, as *Ebn Ezra* intimates, of the watering of the fields. The noun *וַיִּשְׁפָּךְ* is *vegetable* (*Isai.* LXXI. 11), like *וַיִּשְׁפָּךְ* (*Dan.* I. 12; comp. *ibid.* *ver.* 16). — Some codices omit *כֵּן* before *וַיִּשְׁפָּךְ* in *ver.* 37, while they add it in *ver.* 38 (*De Rossi*, *Var. Lect.* I. 95) — which would unnecessarily complicate the meaning of the passage. Jewish tradition extends these regulations to fluids of any kind, besides water (spring- or rainwater), whether the fluid drop upon the seed, or the seed fall into the fluid (*Siphra* l. c.).

39, 40. With respect to quadrupeds, the levitical compiler found in the earlier document nothing but the general and qualified interdiction, that those not possessing the two lawful criteria are "unclean", and "that their flesh is not to be eaten and their carcasses are not to be touched" (*Deut.* XIV. 7, 8); and he reproduced the prohibition in its due place (vers. 4—8). Yet he read in that document this command also: "You shall not eat of anything that dies of itself (*שֶׁנֶּחֱדָשׁ*); thou shalt give it

bears its carcass shall wash his clothes, and be unclean until the evening.

to the stranger who is in thy gates, that he may eat it; or thou mayest sell it to the alien" (Deut. XIV. 21). He could not pass over so important a provision, especially as, in its tendency, it bears a close affinity to all his peculiar theories. But he confined himself to the first part, or the prohibition enjoined upon the Hebrews; he did not repeat the second part, or the permission granted to the non-Hebrews. This liberty was against his convictions and feelings, or against those of his time. In a later portion of Leviticus, the eating of חֲסִידָה is expressly forbidden to the "native Hebrew and the stranger" alike (חֲסִידָה $\text{וְהַגֵּר$ XVII. 15); the latter was, by his example, not to become dangerous to the former. Again, Deuteronomy does not even allude to the uncleanness caused by eating חֲסִידָה ; but our author declares that the mere touch of it engenders a state of impurity which lasts till the evening; and for carrying or eating it, he ordains washing of garments, by which alone the contamination can be removed. So much had the ceremonial spirit advanced within the period intervening between the composition of the two Books. But that spirit made progress within the limits of the Book of Leviticus itself. In a subsequent portion, an additional illustration is prescribed for eating חֲסִידָה , namely bathing (XVII. 15). It was evidently and naturally considered, that the defilement caused by eating impure food is infinitely greater than that produced by carrying it; and hence this intelligible gradation was fixed: touching חֲסִידָה is simply attended by uncleanness which *eo ipso* ceases in the evening; carrying requires washing of garments; and

eating demands both washing of garments and bathing; in any case cleanness is only restored at the end of the day. But as the priests, the holy mediators between God and His people, were specially to live in purity, the law, more rigorous with respect to their conduct, ordained that they must bathe even after *touching* any unclean carcasses (XXII. 5, 6). Moreover, the law on animals torn by wild beasts (חֲסִידָה), was equalised with that on animals that have died of themselves. And then, finally, even an impressive menace could be added in cases of non-compliance with these ceremonial precautions — "he who does not wash his garments, nor bathe his flesh, shall bear his iniquity" (XVII. 16). Yet here also we look in vain for the slightest allusion to the necessity of a sin-offering (see *supra* on vers. 20—25). Thus the law of חֲסִידָה had passed through a variety of stages, each of which bears the stamp of its time, and which, in their totality, illustrate the course of levitical development (see also pp. 14—18). — Jewish tradition strictly limited these regulations to quadrupeds (חֲסִידָה), domestic or wild, and did not extend them to birds or fishes: the text mentions indeed the first order of animals only, whether involving the most important or the most frequent cases; but there is hardly a reason why the other two classes should be exempted from the general rules; the characteristics of חֲסִידָה apply to all alike, hence all should defile or not defile in the same manner. The birds were, by tradition, at least subjected, like the quadrupeds, to the obligation of ritual "slaughtering" (שְׁחִיטָה , p. 22); while the treatment of fishes was left without such ceremonial precepts.

41. And every creeping thing that creeps upon the earth, *shall be* an abomination; it shall not be eaten.

Rabbinical expositors connected the laws of purity with the sacrificial system; but not even in carrying out this unwarranted principle, did they proceed consistently; for if the fishes remained unnoticed because they were excluded from the altar, the birds might be expected to be viewed in the same light as the quadrupeds; for just as a few birds only were fit for the altar, so also were but a few quadrupeds. More in harmony with the nature of *נבלה*, Talmudism put stress upon touching the "carcass" of an animal that died of itself, and declared the flesh only as polluting, but not "the skin, nor the bones, nor the sinews, nor the horns, nor the claws" (see *Talm. Chull.* 77^b; 117^b, and *Rashi* in loc.): there is indeed a difference, in the degree of corruption or decomposition, between the organic and the inorganic parts of such animal; yet not even the latter can be considered entirely sound, that is, they cannot be held perfectly clean. Expediency everywhere mitigated the rigour of abstract levitism.

PHILOLOGICAL REMARKS. — The quadruped becomes *נבלה* if dying from any cause whatever, and not merely in consequence of a limb being torn off from the living body (so Targ. Jon. *אין ירדתי ארצה*; comp. on ver. 32). — The Sept. renders *נבלה* *καταμαλυν*, in the plural, and so some manuscripts have *נבלות* and *נבלות*.

41—43. Among the large number of "creeping things" (*רמש*), which, with the one solitary exception of locusts, are all unclean, a portion only have been legislated upon in the preceding sections (vers. 20—25, 29—38); the levitical writer could not possibly leave the rest unnoticed;

for the "creeping things" were the special objects of his aversion; and he treated of them in a last supplement, and in a comprehensive and nearly complete classification. With an emphasis almost vehement, he expresses his loathing of "all that goes upon the belly", as the Serpents and Worms, of "all that go upon four", as the Reptiles, and of "all that have many feet", as the Crustaceous animals and the Spiders (see p. 52); and he is anxious to imbue the Hebrews with the same feeling of detestation: "Do not make yourselves abominable", he exclaims, "with any creeping thing that creeps, nor make yourselves unclean with them, that you should become unclean thereby." He expressly warns them against eating those creatures, but does not mention touching or carrying. He excepts no single class or species; all alike are held up to unqualified disgust (*לכל הרמש*, ver. 42). It is, therefore, certainly against the spirit of these injunctions, that Talmudical teaching excludes from their operation, and pronounces unobjectionable, the small worms, supposed to be bred by *generatio originaria*, in vegetables, fruit, and certain kinds of food, such as the weevils or mites in peas, beans, or lentils, worms in dates and berries, the maggots in cheese, and the vermin discovered under the skin or in the flesh of fishes: all these creatures were permitted merely because they cannot be called "creeping on the earth"; and therefore they were declared to become unclean if they leave the object in which they were generated, and crawl about freely (comp. *Talm. Chull.* 67^b; *Siphra* fol. 57^a; *Targ. Jon.* Deut. XIV. 19; *Yor. Deah* § 84;

42. Whatsoever goes upon the belly, and whatsoever goes upon four, up to whatsoever has many feet, in fact all creeping things that creep upon the earth, these you shall not eat; for they *are* an abomination. 43. Do not make yourselves abominable with any creeping thing

Maimon. De Cib. Vet. II. 14 *sqq.*). However, the principal stress does not lie upon the place in which those creatures "creep", but upon the fact of their "creeping." Here again necessity compelled the abandonment of a rigid theory. A similar difficulty was differently solved by the Brahman who dashed to the ground the microscope, which revealed to him living creatures in vegetables.

PHILOLOGICAL REMARKS. — From the detailed enumeration of the species belonging to the large order of *עֲרֵב* (p. 52), it will be obvious how far the Talmudical statement is correct, that *עֲרֵב* points to the serpents, and *לָל* to the long, serpentine worms, or that *עֲרֵב לָל* means the scorpion, *לָל* beetles, and *עֲרֵב יָגִיל* the centipedes (*לָל*, see p. 161; *Talm.* Chull. 67^b; *Siphra* fol. 57^a). Rashi defines the *עֲרֵב* as "a diminutive creature with short legs, which is only perceived when it creeps and moves": however, the *עֲרֵב* is not characterised by smallness of size, but by low and crawling locomotion, the number of feet, and by predaceous and lurking habits. — The Masorites have written the *ע* in *עֲרֵב* prominently large, because, according to their orthography, it forms the middle letter of the Pentateuch; as regards the words, they marked *עֲרֵב* (in X. 16) as the middle; and as regards the verses, that which begins with *עֲרֵב* (XIII. 33), whence they wrote the *ע* in this word large, and they did so on the authority of an old *beraita*; however, the Talmudical treatise *Soferim* (ch. IX § 2) mentions another verse of Leviticus (VIII. 7) as the middle, which differ-

ence is not without interest for the history of the Masorah (comp. *Geiger*, *Jüd. Zeitschr.* III. 91). — The "creeping things" are described (in ver. 42), with reference to their mode of locomotion, in a certain systematic gradation — creatures that have, or seem to have, no feet, creatures that have four feet, and creatures that have many, that is, more than four feet: it is easy to see the climax implied in *עֲרֵב יָגִיל* "up to all that have many feet", culminating in the comprehensive terms "in fact, all (*לָל*) creeping things that creep upon the earth" (comp. on ver. 26, p. 167); these words (*עֲרֵב יָגִיל*) are not simply, "or whatever has many feet" (so Luther, Engl. Vers., Michael, Luzzatto, a. o.); the Syr. and Sept. do not express *עֲרֵב* (*διδρακτὸς ὁ πολυπόδης ποσὶν*), and a manuscript of De Rossi omits it; while the Vulgate renders the whole verse with more than usual inaccuracy ("quidquid super pectus quadrupes graditur, et multos habet pedes sive per humum trahitur"), disregarding *ע* in *עֲרֵב* altogether, and fancifully translating *ע* in *עֲרֵב* with *sive*. On the paraphrase of Targ. Jonath. see *supra* p. 161. The apparent tautology in the concluding words of the 43rd verse may be avoided by referring the words *עֲרֵב* to physical, and *עֲרֵב* to levitical or civil uncleanness, the latter being the result and consequence of the former. — *עֲרֵב* is written defectively for *עֲרֵב* (*Grammar* § LXVI. 1^b); it is unnecessary to derive it from *עֲרֵב*, probably to be *obtus* or *stolid* (Job XVIII. 3); so Gesenius (*Lex. s. עֲרֵב*), Luzzatto

that creeps, nor make yourselves unclean with them, that you should become unclean thereby.

44. For I *am* the Lord your God; you shall therefore hallow yourselves, that you may become holy; for I *am* holy: nor shall you make yourselves unclean with any manner of creeping things that creep upon the earth.

(Gramm. p. 280, ne divereste otturi, abbruttiti), a. o.

44—47. After the prohibition of every kind of רִמָּא , the Deuteronomist briefly adds, "for thou art a holy people (עַם קָדֹשׁ) to the Lord thy God." This point of view lay nearest, and was most congenial, to the mind of the levitical author. He extended and applied it to all dietary laws, especially to all unclean animals. Distinctly combining the notions of cleanliness and holiness, and regarding the one as the indispensable condition or invariable preliminary of the other, he thus expressed the very centre of the system that is usually understood by the term *levitical*: "Do not make yourselves unclean with any creeping thing that creeps . . . You shall hallow yourselves that you may become holy." But desirous tangibly to strengthen this abstract idea, he urged, that the Hebrews stood under the guidance of Jehovah, the holy One, not merely in the manner of the other nations; for they had by His mercy and power been released from Egyptian thralldom; He was, therefore, "their God" in a peculiar and special sense; He had made them a nation and preserved them amidst dangers "that He might be their God"; and He had "borne them on eagles' wings, and brought them to Himself" (Exod. XIX. 4). Thus there was a close, almost a personal relation between God and Israel (comp. 2 Sam. VII. 23). It originated by an election through God's grace, and was ratified by a mu-

tual covenant. "You shall be holy, for I am holy": this is the pith and kernel of the intellectual labour of many centuries; it is the ripest fruit of a long spiritual education (see p. 106). But is the fruit entirely of Hebrew growth? Is no foreign influence discernible? The idea of Purity is the foundation of the Persian creed, and the contrast between clean and unclean animals forms one of its chief features. In the exile, the Hebrews developed both the one and the other with assiduous care; but they intensified purity into holiness, and they placed the clean and the unclean animals under the dominion of the same Omnipotence. The doctrines of Zoroaster are plainly reflected in the rigorous distinction of a pure and impure creation; but Hebraism asserted in this point also its independence and superiority (see p. 64).

Here ended the commands attributed to Divine utterance; nothing, therefore, was left to the author or revisor but to mark the dietary code as concluded, and as complete in itself; and this he did in a recapitulation embracing all the various classes of animated creatures, the tenants of land, air, and water; moreover, he significantly represented the distinction between lawful and unlawful animals as coinciding with the distinction between "clean and unclean", and he thus raised the dietary laws with unfaltering hand into the sphere of religious purity.

PHILOLOGICAL REMARKS. — The Talmud expresses the connection be-

45. For I *am* the Lord that brought you up out of the land of Egypt, to be your God: you shall therefore be holy; for I *am* holy.

tween ceremonial and ethical purity clearly, though somewhat playfully, in the following gradation: "Watchfulness (מִשְׁמָר or מִשְׁמָרָה) leads to cleanness (טָהוֹר), cleanness to purity (טָהוֹרָה), purity to holiness (קִדְּשׁ), holiness to humility (עֲנָה), humility to fear of sin (פֶּחַח), fear of sin to piety (פִּיָּתוּח), piety to the holy spirit (רוּחַ קֹדֶשׁ), the holy spirit to the resurrection of the dead (*Talm. Jerus. Schekal. c. III. fol. 47^b; comp. Talm. Bab. Avod. Zar. 20^b; Sot. 49^b; etc.*; see also *Diog. Laert. VIII. 33, πῶς δὲ ἀγγελὸν εἶναι διὰ καθαρῶν καὶ*. Pythagor.). The "creeping things (רֶמֶשׂ) that creep upon the earth" (ver. 44), relate to all unclean species in general, since the term רֶמֶשׂ gradually took universal meaning; whereas Rabbinical interpretation restricts them to the species "born in dunghills" by a supposed generatio originaria (*Maimon. De Cib. Vet. II. 13*). — רִמְשׁוֹתָם (ver. 44), with chirek in the penultimate (comp. XX. 7; XXII. 22); see Gramm. § XLVI. 1^a. — The participle הֹמֵלֶךְ (ver. 45) has the meaning of the preterite (Gramm. § 100. a) "who have brought you up" (so also Deut. XX. 1; Josh. XXIV. 17; 2 Ki. XVII. 7; Jer. II. 6; Ps. LXXXI. 11; etc.), for הֹמֵלֶךְ אֱלֹהִים (comp. Ex. XXXII. 1, 23; 2 Ki. XVII. 36; Jer. XVI. 14, 15; etc.); and thus הֹמֵלֶךְ (XXII. 33; Deut. VIII. 14; XIII. 6; Judg. II. 12; etc.), although הֹמֵלֶךְ אֱלֹהִים is as frequently used (Exod. XXIX. 46; Lev. XXV. 38, 42; Num. XV. 41; etc.); while in Ex. VI. 7 הֹמֵלֶךְ occurs in the meaning of the present or future "who brings or shall bring you up." Therefore, all speculations attributing a peculiar significance to the use of the article instead of the relative

pronoun (*Talm. Bab. Mets. 61^b*), are gratuitous. — The concluding formula (ver. 46, 47) is probably not intended as a part of God's address to Moses and Aaron (ver. 1), but as the author's addition meant to round and to complete the section. It does not enumerate the various classes of animals in the same order in which they have before been treated in the chapter; but this irregularity, striking mainly by the precedence given to birds before the aquatic animals, is by no means unusual (comp. esp. VII. 7; XIII. 59; XIV. 54—56), and calls for no recondite explanations. — The connection between the last two verses is rather loose: "this is the law of the beasts . . . to distinguish (לְהַבְדִּיל) between the unclean and the clean"; where the general notion is given in the infinitive, and not in a distinct tense and person, "that you or the people may distinguish" (see Gramm. § 98. e); *Vulg.* ut differentias noveritis; *Luth.* dass ihr unterscheiden könnet; *Michael.* dies ist das Gesetz . . . nach welchem zu unterscheiden ist; *Luzzatto*, onde sappiasi distinguere; etc. — The Sept. renders הֹמֵלֶךְ (in ver. 47) ζωογονοῦντα, that is, *animals* in general (comp. *Lucian, Amor. c. 19, πᾶν ζῶον γόνιμον ἐμψυχον*), not merely *vivipara*, as St. Augustin contends (*Quaest. in Levit. XXXVIII, quae vivos fetus gignunt, id est non ova, sed pullos*). The Talmud (*Chull. 24*) derives from the last verse the rules concerning clean animals disqualified as food through defects or diseases; and it has been supposed that the word ζωογονοῦντα here employed by the Septuagint involves, or points to, the Talmudical decision (*Chull. 58*), that

46. This is the law of the beasts, and of the fowl, and of every living creature that moves in the waters, and of every creature that creeps upon the earth: 47. To distinguish between the unclean and the clean, and between the animals that may be eaten and the animals that may not be eaten.

animals capable of conceiving and bringing forth young, are to be considered as perfectly sound, and in no way falling under the category of *טמא*, however they may seem to suffer from defects or diseases (so *Franke*, *Vorstudien zu der Sept.* p. 189): but it seems hardly warranted to attribute to the Greek translation a

sense so entirely foreign to the tenour of our whole chapter, since *καταγορεύεται* is simply a later, though not very frequent term for animals. — On the notion of permission or lawfulness implied in the participle (*המאכלה*) and in the future (*תאכל*), see *Gramm.* §§ 94. 10; 100. 5, and the passages there quoted.



B. ON PURITY OF PERSONS, GARMENTS, AND HOUSES.

CHAPTERS XII TO XV.

THE LAWS OF PURIFICATION.

NEXT to sacrifices, purifications were the most important of Hebrew rituals. Whenever both were prescribed together, the latter appeared indeed as merely preparatory to the former, since sacrifices were deemed the main agency of restored peace or holiness; but purifications, like offerings, were frequently ordained as separate and independent acts of worship: closely entwined with the thoughts and habits of the Hebrews, they formed an essential part of their religious system; and the doctrine, echoed in a hundred creeds, that "Purity is, next to life, the highest boon of man," was among them also a truth and a reality.

The Hebrews "purified" or, as they understood the term, "sanctified" themselves, whenever they desired to rise to the Deity, that is, before solemn ceremonies and seasons, as sacrifices and festivals² — just as the Mohammedans are enjoined to wash themselves before prayer, and the Hindoos before reading the Vedas or any other holy book³—; or whenever they expected the Deity to descend to them by some supernatural manifestation, as the disclosure of heavenly wisdom or a deed of miraculous power and help⁴. Therefore, when in a state of impurity, they were forbidden to enter the Sanctuary, to keep the Passover, and to partake of holy food, whether of sacrificial meat, of sacred offerings and gifts, or of shew-bread, because the clean only were fit to approach the holy God and all that appertains to Him⁵; nay more, as long as they were in such a condition,

¹ *Vendid.* V. 66; comp. *Khorda-Avesta* I (*Spiegel*, vol. III. p. 8).

² Gen. XXXV. 2—4; 1 Sam. XVI. 5; comp. 2 Chr. XXX. 17; *Jos. Ant.* XIV. xi. 5.

³ *Koran* V. 8; *Manu* V. 138, 145.

⁴ Exod. XIX. 10, 14, 15; Josh. III. 5; VII. 13; see Comm. on Levit. I. p. 167—171.

⁵ Lev. VII. 19—21; XXII. 3 *sqq.*; Num. IX. 6 *sqq.*; XVIII. 11, 13; 1 Sam. XXI. 5.

they were commanded to keep aloof from all social intercourse, lest the chosen community be defiled ¹.

But long before these principles and regulations were fixed in a legal code, they were current and were acted upon among the Hebrews as traditionary notions and customs. Incidental allusions scattered throughout the historical Books, leave no doubt on the subject.

When Samuel arrived at Bethlehem to anoint David, he said to the alarmed elders, "I am come to sacrifice to the Lord; sanctify yourselves, and come with me to the sacrifice"; and as regards Jesse and his sons, he specially "sanctified them, and called them to the sacrifice" ². — Saul readily accounted for and excused David's absence from a banquet at which he was expected, by supposing that "something had befallen him": "he is not clean", he said, "surely he is not clean" ³. — Ahimelech, the chief priest of Nob, hesitated to deliver up the shew-bread to the fugitive David and his men until he was satisfied that these had, in the previous night, abstained from associating with women ⁴. For sexual intercourse was deemed defiling, and required "sanctification", which not even Bath-sheba omitted in the royal palace after her violation of conjugal fidelity ⁵. — Azariah, the leprous king of Judah (B. C. 811—759), was, like all lepers, compelled to live in seclusion before the gates of the town ⁶. — King Josiah, desiring to pollute most flagrantly the places devoted to pagan worship, cast upon them human bones ⁷.

These are the main facts recorded with respect to the ante-Babylonian times. Do they justify the inference, that there existed among the Hebrews, from early periods, a complete system of purificatory laws, and more particularly that of the Pentateuch? Other facts of equal authority impose great caution; for they point to a slow and gradual progress.

In the latest time of the Judges, a *custom* may have prevailed as to certain religious acts to be performed by women after childbirth, but there was certainly no *law*. Hannah delayed her first visit to the Sanctuary till she had weaned her son Samuel, that is, till he

¹ Comp. 1 Sam. XX. 26.

² 1 Sam. XVI. 5.

³ 1 Sam. XX. 26.

⁴ 1 Sam. XXI. 3—7: though according to the levitical law, shew-bread, which was "most holy", should on no account be eaten by any one

except clean *priests* (Comm. on Levit. I p. 618).

⁵ 2 Sam. XI. 4; see *infra* notes on XV. 18.

⁶ 2 Ki. XV. 5; comp. Lev. XIII. 46 and notes in loc.; Num. V. 2, 3.

⁷ 2 Ki. XXIII. 14.

was two or three years old⁸, and then she offered three bulls with flour and wine: whereas the levitical code distinctly prescribes a lamb and a pigeon, or two pigeons, for a holocaust and a sin-offering, to be presented forty days after the birth of a boy⁹. This one discrepancy alone is decisive; for it proves that indeed a natural feeling of gratitude prompted Hebrew mothers, from an early date, to appear at the common place of worship with sacrifices and free-will gifts, but that with regard to the time and the nature of the offerings considerable or complete liberty was allowed; it certainly proves that no enactment like that of Leviticus was in force; indeed it could not then have been framed, as sin-offerings (חטאת) were unknown till late in the monarchical period¹⁰.

The intelligent and the learned among the Hebrews gradually gathered experience as to the symptoms, the course, and the decisive tests of leprosy; but it is obvious, that long periods were required, before any particular mode of treatment could be fixed, declared unalterable, and raised into a law. Therefore, the Deuteronomist simply admonishes the people, in cases of leprosy, to adhere to the directions of the "priests the Levites"¹¹, which term itself points to an earlier stage of hierarchical development¹²: whereas the levitical law furnishes rules and ordinances so minute and precise that the "priests", deprived of all freedom and option, but then comprising the Aaronites only, became mere instruments, though they monopolised the execution of every ritual detail¹³. The Old Testament has preserved an instructive instance of a similar development in still later times. The prophet Haggai, probably not long after the final compilation of the levitical code, addressed to the priests some ritual questions on cases not specially or directly provided for in that code. It is ordained in Leviticus (VI. 20), that any object brought into contact with holy flesh shall become holy: now if the skirt of a garment has in this manner become holy, does it communicate its sacredness to food or drink that may be tied up in it? Again the Law enjoins, that contact with a dead body renders unclean¹⁴: now, if a man so defiled touches

⁸ See Comm. on Gen. p. 433.

⁹ Comp. 1 Sam. I. 21—24 and Lev. XII. 3—6.

¹⁰ See Comm. on Lev. I pp. 272 *sqq.*

¹¹ Deut. XXIV. 8; the addition "as I have commanded them" (כאשר צויתני), does not necessarily point to earlier injunctions of the Pentateuch (comp.

Riehm in *Stud. und Krit.* 1868, pp. 360, 361); all knowledge with reference to holy matters was ascribed to Divine suggestion.

¹² Comp. Comm. on Lev. I pp. 598 *sqq.*

¹³ Comp. Lev. X. 10, 11; XIII. 1 *sqq.*

¹⁴ Num. XIX. 11 *sqq.*

victuals of the kind just referred to, do they become unclean? The priests answered the first question in the negative, the second in the affirmative¹. Such were the first stages of that ritual casuistry, of which there are indeed traces even in the Pentateuch (*supra* p. 167), and which was by the Mishnah, the Talmud, and the Rabbins carried to an amazing excess; and of this any one may convince himself by glancing at the sixth division of the Mishnah (שמיטה), which consists of no less than twelve elaborate treatises — the first, Kelim, containing alone 254 Mishnahs in 30 chapters —, and which discusses most scrupulously every conceivable emergency that can possibly arise in practical life with reference to the precepts of purity.

Again, let the following two laws be impartially compared. Deuteronomy (XXIII. 11, 12) commands: "If there be among you any man that is not clean on account of an accident by night, then he shall go out of the camp, he shall not come within the camp; and towards the evening he shall wash himself with water, and when the sun goes down, he may come again into the camp." On the same subject Leviticus (XV. 16, 17) prescribes: "If discharge of semen go out from a man, he shall wash all his flesh in water, and be unclean until the evening; and every garment and every skin whereon is the discharge of seed, shall be washed with water, and be unclean until the evening." The law in Leviticus is obviously at once more comprehensive and more special, more general and more minute, just as might be expected in an advanced phase of priestly legislation. Let the dates of the two ordinances for a moment be reversed; then the almost primitive simplicity of Deuteronomy would be strange indeed and almost unintelligible after the minuteness of Leviticus.

Thus prepared, we may venture briefly to sketch the history of purifications among the Hebrews. It is on the whole analogous to the history of sacrifices and other ceremonials; for it represents an advance from the sphere of nature to that of religion, from religion to symbolism and from symbolism to levitical formality; therefore it exhibits also a transition from simplicity to intricacy, and from spontaneous impulse to artificial control. This advance is noticeable both with respect to the causes of defilement, its effects, and the lustrations employed.

At first, cleanness was almost identical with cleanliness. For scrupulous regard of cleanliness was, in the hot and dusty eastern climate, soon found to be imperative for the prevention of fevers,

¹ See Hagg. II. 11—13.

skin diseases, and leprous disorders. Hence bathing and washing are very frequently mentioned as ordinary customs; and from the great importance attached to them, it may be explained how, after the exile, ascetic Pharisees and Essenes were induced to carry them to an excess at once rigorous and playful², and why especially washing of hands, always performed before meals³, became a current metaphor and emblem for declaring free from guilt or violence⁴. Thus, whatever is physically unclean, and whatever is, or was deemed, loathsome and contagious, was a pollution. Indeed most of the purificatory laws of the Pentateuch — as those on the normal and abnormal discharges of blood or other fluids, boils and eruptions, leprosy and death — refer to conditions which involve a bodily defilement, and are shunned from a natural instinct of physical dislike.

never
renewing

But the Hebrews could not long rest satisfied with this aspect; eager to spiritualise every external process, and to link the perishable with some higher principle, they soon began to associate with purity the ideas of life and health, and with uncleanness those of death, decay, and corruption; and then they regarded everything as contaminating which, directly or indirectly, or even remotely, might be connected with disease, abnormal decline, and dissolution.

When the notions of purity had reached this phase, another change suggested itself almost spontaneously. The Temple was the abode of life in its highest and noblest form, of the life of the soul and the warmth and freshness of the heart. It was with such life that the "cleanness" of the Israelites was, in the course of time, brought into connection: the common Sanctuary could not achieve its beneficent work of renewing the energy of the soul, if it was approached with a bodily defilement recalling death; nay the Sanctuary itself would thereby be tainted with pollution, which was sure to be fearfully avenged: "Thus shall you keep aloof the children of Israel from their uncleanness; lest they die in their uncleanness, when they defile My abode that is among them"⁵. Hence the unclean were rigorously debarred from the sacred place and all sacred rites.

² Comp. Gen. XVIII. 4; XIX. 2; 2 Sam. XI. 2; Ruth III. 3; Judith X. 3; Susan. 15; Jos. Bell. Jud. II. viii. 5, 9, 13; V. iv. 3; Vit. 2; *Mishn. Mikvaoth pass.*; John XIII. 5—14; 1 Tim. V. 10; etc.

3; Luke XI. 38; see *Yor. Deah* § 158; *Manu* V. 138, 145; *Athen.* IX. 75.

⁴ Comp. Deut. XXI. 6, 7; Isai. I. 16; Jerem. II. 22; IV. 14; Ps. XXVI. 6; LI. 4, 9; LXXXIII. 13; Matth. XXVII. 24.

⁵ Comp. Matth. XV. 2; Mark VII.

⁵ Lev. XV. 31.

But the Hebrews did not stop even here. They followed out their views with their usual tenacity and with consistent zeal. They extended the attribute of holiness to the entire country and to all its habitations; for they felt the Divine presence in every portion of that land, and found the sanctity of the Temple reflected in every homestead; and they deemed it therefore necessary to remove all uncleanness from their dwellings no less scrupulously than from their Sanctuary¹. Moreover, they cherished the idea with increasing confidence that they were the "chosen people", singled out by God among the nations of the earth to bear witness of His power and His truth; and then they regarded their deliverance from Egyptian bondage, the conquest of Canaan, and the establishment of a theocratic monarchy, as so many proofs of God's special care to be gratefully acknowledged by a life of purity. And finally, they invested the entire nation with the character of holiness, because all were destined to devote their worship to the holy God; they became familiar with the maxim, "You shall hallow yourselves that you may become holy, for I am holy"; till at last they described themselves as "a kingdom of priests", however reluctant the levitical legislators were to make this phrase a reality².

Thus we find in the laws of purity the same successive stages which mark nearly all religious ordinances of the Hebrews; and we can trace in them the same influences working one by one — the notions of external cleanliness, of vigour and health, of spiritual life, and of the sanctity of the Temple and the land, the homes and the whole people³. In correspondence with these stages, uncleanness till the evening seems at first to have been the only effect of defilement; then ablution or bathing was added, and then the washing of the garments; later, the period of uncleanness was, in many cases, significantly extended to *seven* days; then a holocaust was presented, or in some instances a trespass-offering; and lastly, the levitical law prescribed a sin-offering and lustration by the ashes of the "red cow".

From these remarks it is evident that the Hebrew notions of purity cannot be exhausted by one all-embracing definition; for those notions grew slowly and expanded, were refined and spiri-

¹ Comp. Num. V. 3; XIX. 13; XXXV. 34; Deut. XXIII. 15; see also Lev. XXIII. 46; XIV. 3, 8; Num. V. 2—4; XII. 14, 15; XXXI. 19, 20; Deut. XXIII. 11, 12. ² See the observations in Comm. on Lev. I pp. 589 *sqq.* ³ Comp. *supra* pp. 101 *sqq.*; and Comm. on Lev. I pp. 14 *sqq.*

tualised. To avoid confusion and error, different periods of history must be distinguished. Traditions and customs were, in the lapse of ages, converted into laws; isolated practices were blended into a system, supplemented, or modified, or they were subordinated to moral principles, and employed to serve religious ends: this process, marking the growth of all Eastern institutions and legislations, ought especially to be kept in view in examining the theocratic code of the Israelites.

Again, it must be obvious that, if system be discoverable in the Hebrew laws of purity, it is not to be found in their unity, but in their organic development; for while the one cannot be established without an artificial straining of facts, the other becomes manifest by a calm historical analysis. Those laws were suggested by peculiar instincts or tastes, by varied notions, and long experience; they were the result of many generations and the work of many minds; and though they possess a general resemblance and a certain internal affinity, they were not moulded on a definite and preconceived plan. Yet they were evidently intended to have validity, not only during the times of the Temple, but in all ages; they have, therefore, not ceased to operate after the dispersion of the Jews; for though deprived of their common Sanctuary and of an officiating priesthood, the Israelites, by virtue of an eternal covenant and of irrevocable promises, remain for ever God's *holy* and God's *chosen* people. This is unquestionably the teaching of the Pentateuch. However, Talmudists and Rabbins decided differently; they partly abrogated the laws of purity, and partly substituted for them others of a less stringent nature, especially for those connected with sacrifices. Thus they released men who have had a nocturnal accident from the prescribed bath of lustration; and though they excluded from conjugal intercourse women in their menses and persons afflicted with sexual disorders, they admitted the former to the society of their husbands and friends, and the latter to religious and public worship⁴. Either the spirit of the levitical injunctions was not understood, or these injunctions, rigorous in themselves, were deemed oppressive under the altered conditions of the people. Therefore, the sixth great division or *sefer* of the Mishnah, which, in eleven treatises, sets forth the precepts of purification, has, with the only exception of the treatise Niddah, no *gemara* or Talmudic exposition, because those precepts were, in later times, considered of little practical importance. Yet even while the Temple was still in

⁴ See notes on XV. 1—15; 16, 17; 19—24; 25—30.

existence, they were disregarded in all countries except Palestine, because they were held to be inseparable from the sacred soil¹; therefore some teachers, as Jose ben Joëzer and Jose ben Jochanan, declared, that the Jews of all other lands lived in constant, though unavoidable, uncleanness². The Karaites, more consistently weighing the intention of the Law, and disdaining all relief from the burdens it imposes, still consider the contact with "unclean objects" sinful, though they are divided in opinion on many vital questions, and some, as Anan and his followers, closely approached the views of the Rabbanites³.

The result to which all researches lead, remains unshaken — namely, that the purificatory ordinances of Leviticus represent a much later phase than those of Deuteronomy; and this result is supported by the language of Leviticus, which contains words familiar only in writings composed during and after the Babylonian period⁴. On this principle only both the one and the other can be understood and historically appreciated⁵.

This will appear in still clearer light if we briefly review the various other theories that have been proposed.

We may dismiss with a few passing words some opinions the weakness of which is self-evident. Maimonides supposes, that the numerous laws of purity, in consequence of which persons were but seldom levitically clean, were devised to prevent them from visiting the Temple too frequently, and thus slighting it, since "familiarity breeds contempt."⁶ This singular view is hardly happier or better founded than the same author's theory of the sacrificial laws⁷; and both alike betray a disregard or misconception of the Biblical spirit:

¹ Comp. *Ebn Ezra* on Lev. XII. 8, *רחל בשר*.

² *Talm. Shabb. 14^b*, *נזיר טומאה על כל* *אדם ובע"ח*.

³ Comp. *Geiger*, *Wissensch. Zeitschrift*, VI. 52, 55, 71, 72; *Fürst*, *Kaiserthum*, I. 10, 54. The Jewish Falaschas in Abyssinia have generally, at some distance from their dwellings, a cottage to which all unclean people retire, as menstruating women or persons who have come into contact with a corpse (comp. *Jos. Halévi*, *Bericht über die Mission zu den Falaschas*, in *Frankel's Monatschrift*, 1868 p. 406).

⁴ As *רחל*, see on XII. 2; *רחל* and *רחל*, see on XII. 6.

⁵ The remarks of Biehm (*Stud. u. Krit.* 1868, pp. 360, 361), do not touch the pith of the question, and are inconclusive: if *רחל* was not the ordinary and popular term, it may as well have passed from Deuteronomy into Leviticus as from Leviticus into Deuteronomy.

⁶ *Maimon. Mor. Nev.* III. 35 (no. 12), 47; and similarly *Spencer*, *Legg. Ritt.* I. xi. 2.

⁷ See *Comm. on Lev. I* p. 56.

for was not the holiness of the Sanctuary considered to exercise an awe-inspiring influence upon the worshippers at all times, and the more so, the more regular they were in their attendance?⁹ And did not the Hebrews look upon uncleanness as a sad visitation principally for this reason, that it caused their exclusion and estrangement from the Temple?¹⁰ — Some contend, that “the laws of purity were meant to punish the Hebrews for the sins they had committed in the desert”¹¹; as if religious rites were penal inflictions. — Or, “their object was to educate a rude and barbarous people”¹²; but they pre-suppose a very high degree of religious training as well as of political and ecclesiastical organisation. — Or, “they were designed to enhance the influence of the hierarchy”¹³; though indeed they conferred upon the priests very considerable powers, and if faithfully carried out, tended to promote their aggrandisement¹⁴, this was certainly not their original or their exclusive object; for they aimed not at the ascendancy of one class, but at the sanctification of the whole people.

Again, it has been maintained that they were intended to place a strong and permanent barrier between the Hebrews and the heathen nations¹⁵; but they concern entirely the inner life of the community, and serve no other but their own important and peculiar purpose; moreover, most of them have very close analogies in the religious rites of other, especially Eastern nations; in fact, the idea of seclusion or separation is as foreign to these laws as to the dietary precepts¹⁶.

Or they have been characterised as sanitary or police precautions, prescribed for the protection of individuals and of society¹⁷: such considerations, though at first probably the chief motives of some of the ordinances, and never wholly disregarded, gradually gave way to religious and spiritual conceptions, which, in the course of time, gained increasing weight; besides, many, and these the most important provisions, have no reference to health and illness, being as useless for preserving the one as they are inefficacious for warding off the other.

Or they have all been referred to birth and death, the beginning and end of human existence, which, contrasted with Divine

⁹ Comp. Ps. LXXXIV. 10.

¹⁰ See *infra*.

¹¹ *Spencer Legg*. Ritt. I. xi. 2.

¹² *Spencer* l. c.

¹³ So *Gramberg*, Relig. Id. I. 64, a. o.

¹⁴ Comp. *Sipkra* and *Rashion* XIII. 2.

¹⁵ *Spencer* l. c.

¹⁶ See *supra* p. 70.

¹⁷ *Hess*, Gesch. Mos. I. 374 sqq.; *Michaëlis*, Mos. Recht, IV. §§ 207 sqq.;

Saalschütz, Mos. Recht, pp. 21 sqq.

infinitude, is sinful and impure¹: but the Hebrews were utter strangers to such notions, and they never looked upon the new-born child as unclean²; moreover, that principle does not apply to the dietary laws, which are of the utmost importance; for they regulate the assimilation of external objects with the inner organism, whereas the other purificatory precepts mostly control passive and abnormal conditions of the organism itself; therefore, the defiling effects are greater with respect to the former, though the defilement is more conspicuous with reference to the latter; and hence the Pentateuch often threatens severe penalties for trespasses in diet, while for "uncleanness" it merely ordains lustrations or sacrifices³.

Or the laws under discussion have been deduced from the ideas of death and corruption: but though these ideas prevailed in cases like contact with corpses and lepers⁴, and though they probably exercised an influence in a few other instances, such as irregular discharges and the prohibition of carnivorous animals; they can, as general principles, not be upheld without strained applications: for how is it possible to associate decay and dissolution with conjugal intercourse, menstruation, or childbirth? And this questionable view has been coupled with the typical or allegorical acceptation, which is even more objectionable: the laws of purity, it is asserted, were meant to remind man of death "as the monument of sin"⁵, and, by imbuing him with a deep disgust for physical corruption, to implant in his mind a strong abhorrence of unrighteousness⁶; but all typical interpretations of moral and ritual laws have been proved to be as unfounded, as they generally are playful and arbitrary⁷; moreover, the doctrine that death is the hereditary consequence of original sin, is not fundamental in the Old Testament; it is indeed implied in the narrative of the "Fall of man" in Genesis, but in every other part of the Hebrew Canon, death is represented either as coming in the ordinary course of nature, or as the consequence of individual and personal transgression.

¹ So *Bähr*, *Symb.* II. 459—464.

² See notes on XII. 1—8.

³ See *supra* p. 123; *Sommer*, *Abhandlungen*, 239—241.

⁴ Num. XII. 12.

⁵ Comp. Gen. III. 14—19 with reference to Gal. III. 22; Rom. V. 12; VII. 24; VIII. 20, 22; Hebr. IX. 27; etc.

⁶ Comp. *Theodor.* Quaest. XIV ad Levit. (per affectiones corporeas in-

dicat morbos animae etc.); *Sommer*, l. c. pp. 202, 234, 235; *Keil*, Levit. pp. 85, 86; *Archaeol.* I. 276—280; II. 18, 19; *Hengstenb.* Christol. III. 592 sqq., 663 sqq.; and on the other hand, *Winer* l. c. II. 319; *Knob.* Levit. p. 435. On the strange opinion of Br. Bauer (*Relig. des Alten Bundes*, I. 256 sqq.), see *Knob.* l. c.

⁷ See Comm. on Lev. I. pp. 142 sqq.

The usual explanations, therefore, are by no means satisfactory.

If compared with the purificatory laws of other nations, those of the Pentateuch appear in a favourable light. They may possibly evince traces of Zoroastrian views, which are discoverable in the dietary laws also⁸; but they exhibit no vestige of a dualism; in every detail they are stamped by the monotheistic creed; God alone, the merciful, wise, and omnipotent Ruler, sends trials and diseases; and no evil genius has the power of causing uncleanness. They are singular in the noble principles on which they are framed — the perfection and holiness of God; and they are thereby raised above frivolity and unmeaning formalism. Moreover, it would be unjust to deny that they were understood as symbols, or as means of sanctification⁹; to defile oneself and to sin, and also to cleanse and to hallow, are frequently used as equivalents¹⁰.

They must be pronounced simple if considered side by side with those of the Parsees, the Hindoos, the Egyptians, or the Talmud. For they are, on the whole, confined to the chief and most striking forms of defilement, and evince a judicious moderation in fixing the detail; they prescribe no rituals for many occasions which are so signalised in other codes; and the rituals they prescribe are neither very burdensome, nor do they materially encroach upon the practical duties of life. They declare no *living* animal as defiling, however strongly it may have been detested, and however scrupulously its carcass may have been shunned¹¹; whereas, for instance, among the Egyptians the accidental touch of a passing pig was contaminating¹². Unlike the laws of the Parsees, they include no such ordinances as those which declare hair and nail-parings as unclean, and as polluting the ground upon which they fall¹³; they do not enjoin washing before and after meals¹⁴, nor after sleep¹⁵, after spitting and sneezing¹⁶, or the like¹⁷; in most of which cases Rabbinism also prescribed ablutions, generally accompanied by some formula of prayer.

They ordain rituals only for the following occasions: (1) For women after childbirth¹⁸. — (2) For touching or approaching

⁸ See *supra* pp. 107, 108; comp. Sommer l. c. pp. 196 *sqq.*

⁹ Comp. Gen. XXXV. 2; Lev. XI. 44; XX. 25, 26; etc.

¹⁰ Comp. Gen. XXXV. 2; Lev. XVIII. 20, 23—30; XIX. 31; Num. V. 13; 1 Sam. XVI. 5; Isai. I. 16; etc.

¹¹ Comp. Lev. XI. 29 *sqq.*, *arum* ver. 32.

¹² Herod. II. 47; see *supra* p. 79.

¹³ Comp. *Vendid.* XVII. 1—33; *Spiel* l. c. I. p. 81.

¹⁴ Comp. *supra* p. 115 note 9.

¹⁵ *Manu* V. 145.

¹⁶ *Ibid.*

¹⁷ Comp. *Manu* V. 138, 144; etc.

¹⁸ Lev. XII. 1 *sqq.*; see notes in loc.

a human corpse or human bones¹, as was the case also among the Greeks and Romans², the Hindoos³, the Parsees⁴, and Phoenicians⁵.— (3) For touching the carcasses of "unclean" and of such "clean" beasts, as had not been regularly slaughtered, had died of themselves (נבלה), or were torn by wild beasts (טרידן)⁶. — (4) For those diseases which seem to point to an unnatural decay of the body, and in some manner to reflect the process of dissolution, especially for leprosy which was regarded as living death⁷. — (5) For abnormal secretions (זרב) from the sexual organs⁸. — But (6) also for the natural and regular discharges of women in their menses⁹, and of men during sleep¹⁰, and even for conjugal intercourse¹¹.

How striking is the difference if, after considering this limited number of rules, we glance at the Zend-Avesta¹², the laws of Manu or of Yājñavalkya¹³, the scattered accounts respecting the Egyptians preserved by Herodotus, Porphyry, and others¹⁴, or at the sixth section of the Mishnah¹⁵!

As regards simplicity of detail, we will only introduce one illustration. The Pentateuch merely commands with respect to domestic utensils, that wooden or brazen ones, if defiled, shall be cleansed by water, and metal ones by fire, and that earthen vessels

¹ Num. XIX. 11—22; 2 Ki. XXIII. 14; Hagg. II. 13; Tob. II. 5, 9; comp. Jos. Ant. III. xi. 3; XVIII. ii. 2, 3; Mishn. Kelim I. 4, 5, 8; Ohol. I. 1 sqq.; II. 1, 5; and both treatises *passim*.

² Varro, Ling. Lat. V. 23; Cic. Legg. II. 22; Eurip. Alcest. 100; Helen. 1430, 1431; Diog. Laert. VIII. 33; Virg. Aen. VI. 229; Gell. N. A. X. xv. 24; Tacit. Annal. I. 62; Senec. Ad Marcian. 15; Festus sub aqua.

³ Manu V. 59, 62, 74—79, 88, 91, 92.

⁴ Vendid. III. 25—27, 39, 40, 44—71, 123—136; V. 1—23, 35—64, 113 sqq.; Spiegel, Avesta, II. pp. XLII. XLIII.

⁵ Lucian, Dea Syr. cc. 52, 53: whoever had seen a corpse was unclean and excluded from the temple for one day; the relatives of the dead for thirty days; the Galli, after having buried one of their colleagues, for seven days.

⁶ Lev. XI. 8, 11, 24—28, 31, 36, 39; see notes in locc., and *supra* pp. 16, 21.

⁷ See notes on XIII. XIV.

⁸ See notes on XV. 1—15, 25—30.

⁹ See notes on XV. 19—24.

¹⁰ See notes on XV. 16, 17.

¹¹ See notes on XV. 18.

¹² Comp. Vendid. III. 25—27, 39, 40, 44—48; V. 66—68, 83—178; VI. 1—106; VII. 1—93, 122—196; VIII. 1—72, 107—310; IX. 1—185; X. 1 sqq.; XI. 1 sqq.; XII. 1—71; XVII. 1—44; XVIII. 134—153; etc.; comp. also Spiegel, Av. II. pp. XLIV, XLVI, LXXXIV, LXXXV; and in general to p. XCVI, where the different illustrations and the degrees of their importance or efficacy are described — the *patiab*, the *ghusl* (غسل), and the *barashnom nah shava* (براشنوم نه شوا).

¹³ Ed. Stenzler, I. 11—13, 15—22, 139, 147, 148, 183—197, 222; II. 303; III. 18—38, 243—258, 277, 278.

¹⁴ Comp. Herod. II. 37; Porph. Abst. II. 44; IV. 7; etc.

¹⁵ Comp. *supra* p. 190.

shall be broken, lest they be used again¹⁶. But the Hindoo laws give so many injunctions that it would be tedious to enumerate them; let it suffice to observe that they distinguish between vessels or objects of metal and wood, horn and bone, cane and ivory, jewels and precious stones, corals, shells, and pearls; and that for the purpose of purification, they call into requisition water and fire, ashes and earth, acids and mustard-seed, cow-urine, cow-dung, and the cow herself, which is made to stay a day and a night on land which is to be cleansed. Moreover, they prescribe purifications for fields and their produce, for wood and straw, for fluids, for silk and woollen stuffs, cloths, and skins, and for an infinite variety of other objects. Yet with that spiritual refinement which distinguishes the Hindoo sages, they rise occasionally to a noble conception of purity: no uncleanness, they declare, can fall upon a king or divine while engaged in the exercise of their duties; a monarch is purified by acts of mercy, a warrior by valour on the battle-field, scholars by pardoning offences, artists by the exercise of their art, the heedless by generosity, secret sinners by pious devotion, the mind by truth and careful study, the soul by holy meditation, all men by sacred learning, self-denial, and religious worship; and "he who acquires wealth with unstained hands, is clean above all others".¹⁷

Not even blood was, of itself, deemed defiling¹⁸ among the Hebrews, since, as a means of grace and atonement, it was sprinkled upon the most sacred parts and objects of the Sanctuary; only if shed by murder, it polluted the land, the hallowed abode of God;¹⁹ and it was to be expiated whether the perpetrator was known or not, in the one case by the death of the murderer, in the other by significant symbols.²⁰

The purificatory laws of the Pentateuch assert their superiority besides, in another respect. They reflect indeed that hierarchical tendency which is manifest throughout the levitical legislation; for they are more stringent with regard to the priests than the people, since the former, the anointed mediators between God and the com-

¹⁶ Lev. VI. 28; XI. 32, 33; XV. 12; Num. XXXI. 22—24. On the purifying force of fire see Comm. on Lev. I pp. 529 sqq.

¹⁷ See *Manu* V. 57—145. Similarly, the law of Zoroaster declares him clean who keeps himself pure by good

thoughts, words, and actions (*Vendid.* V. 67, 68).

¹⁸ This has frequently been asserted; comp. *f. l.*, *Knobel*, Lev. p. 437; and it was so among the Persians (comp. *Strab.* XV. III. 14, p. 732).

¹⁹ Num. XXXV. 33, 34.

²⁰ Deut. XXI. 1—9.

munity, are invested with uncommon holiness¹; and they are also more exacting with respect to the Nazarite, because "the consecration of his God is upon his head"². But with these few exceptions, they are identical for the whole people, and admit no distinction of classes. How different, for instance, are the corresponding ordinances of the Hindoos! After defilement by contact with a corpse, a merchant becomes pure in five days, a priest in ten, a warrior in twelve, and a servant in a month³; and similar gradations pervade all analogous laws⁴. Among the Egyptians, the idea of purity seems to have been restricted to the priests only⁵, and indeed the purificatory laws of the Egyptians have the least resemblance to those of the Hebrews.

Nor is it possible to mistake, in the Pentateuch, a well-considered method and system as to the *degrees* of defilement. In some instances, the uncleanness is communicated to persons and objects by direct or indirect contact⁶, in others, it remains confined to the person who contracted it⁷; in some cases it only lasts till the evening⁸, in others seven full days⁹, at the birth of a boy during forty, at the birth of a girl for eighty days¹⁰, and in cases of leprosy, irregular menstruation, and seminal discharges, as long as the evil continues¹¹.

The *means* of purification are no less thoughtfully varied. In some cases, the uncleanness ceases without any ceremony¹², in others

¹ Lev. XXI. 1 *sqq.*; comp. Comm. on Lev. I. 587 *sqq.*

² Num. VI. 6 *sqq.*

³ *Manu* V. 83; comp. 59, 136, 137, and Book V. *passim*.

⁴ Comp. also *Spiegel*, *Avesta*, I. p. 111.

⁵ Comp. *Herod.* II. 37; *Porph.* Abst. II. 44; see, however, *ibid.* IV. 7 αὐτὸ δὲ γίνεται πάντων ἐκαστάσων.

⁶ As in reference to a corpse, to leprosy, "running issue," and regular or protracted menstruation (Levit. XIII. 45, 46; XV. 4—12, 20—24, 26, 27; Num. XIX. 21, 22).

⁷ As with respect to unclean carcasses, conjugal intercourse, spontaneous emission of semen, and childbirth (Lev. XI. 24, 25, 27, 39, 40; XII. 2 *sqq.*; XV. 16, 18).

⁸ Viz. if caused by nocturnal pollution, or by entering a leprous house; or if produced by contact with a carcass, with a person defiled through touching a corpse, and with the "water of purification" (מֵי נִדָּח), a menstruating woman, or an object on which such a woman or a man with a running issue had been sitting or lying (Lev. XI. 24, 27, 31, 39; XIV. 46; XV. 19, 23; Num. XIX. 21, 22; Deut. XXIII. 12).

⁹ As after contact with a corpse or a human bone or grave; after entering a house harbouring a corpse; menstruation and connection with a menstruating woman (Lev. XV. 14, 16, 19, 24; Num. XIX. 11, 14, 16; XXXI. 19).

¹⁰ Lev. XII. 2—5.

¹¹ XIII. 46; XV. 2, 25.

¹² See the passages *supra* note 8.

by bathing the body in water¹²; in some by the washing of garments¹⁴, and in others by both bathing and washing of garments¹⁵; and lastly, in some remarkable emergencies, sacrifices and symbolical rites are prescribed, usually in addition to the ordinary ceremonies: thus in the important case of defilement by a corpse, the lustration includes sprinkling, on the third and the seventh day, with the "water of purification", a strong and sharp lye, prepared from the ashes of the red cow¹⁶; a holocaust and a sin-offering are required of women after childbirth, and of men and women after the cessation of certain abnormal discharges; while the leper, whom the Hebrews regarded as the image of death-like dissolution, has to present a holocaust, a trespass- and a sin-offering, and has besides to submit to an elaborate ceremonial of purification¹⁷.

Yet in spite of these laudable features, the purificatory rites of the Pentateuch were, like all ceremonials, liable to perversion. They were too often considered as a self-sufficient end, and

¹² As after the emission of semen, whether during sexual intercourse or not; or a priest after coming into contact with an unclean animal, or with a person defiled by touching a corpse or by any other cause (*Lev.* XV. 16, 18; XXII. 4—7; *Deut.* XXIII. 11, 12; comp. *Lev.* VIII. 6; XVI. 4; etc.); similarly *Moss* V. 66, 77, 78, 85, 86, 103, 144; *Vendid.* XVI. 18, 19; comp. also *Moss* V. 76, 99, 108 (purification by touching water); V. 84, 145 (by sprinkling or washing the mouth with water); V. 139 (by drinking water); *Vendid.* V. 157; *Spiegel*, *Avest.* II. pp. XX, XLVI, XLVII, LXXXIV, LXXXV; *Meiners*, *Gesch. der Relig.* II. 108.

¹⁴ So after carrying the carcass, or eating of the flesh, of an unclean animal; after recovery from disorders of the skin; after having eaten or slept in a leprous house; and after having sprinkled the "water of purification" (*Lev.* XI. 25, 28, 40; XIII. 6, 34; XIV. 47; *Num.* XIX. 21; comp. *Exod.* XIX. 10, 14); see also *Moss*, V. 77, 76, 103.

¹⁵ As lepers were required to do

when passing through the ceremonies of lustration; or persons healed from running issues, and about to be declared clean; or those who touch a bed or any object on which such a person or a woman in her menses or with an irregular flow of blood had been sitting or lying; those who eat of *רֵמָס* or *רֵמָט*; those who are cleansed from defilement by a corpse; and all persons engaged in burning the red cow and gathering its ashes (*Lev.* XIV. 8, 9; XV. 5, 6, 10, 13, 21, 22, 27; XVII. 15, 16; *Num.* XIX. 7—10, 19; comp. *Lev.* XVI. 24, 26, 28).

¹⁶ *Num.* XIX. 17—19; comp. XXXI. 19; *Hebr.* IX. 13; *Jos.* Ant. IV. iv. 6: ashes and lye were employed as a means of purification by the Persians, the Romans, and others (comp. *Virg.* *Ecl.* VIII. 101; *Ovid.* *Past.* IV. 630, 640, 725, 726, 733; *Arnob.* *Adv. Nat.* VII. 32).

¹⁷ *Lev.* XII. 6—8; XIV. 1—32; XV. 13—15, 28—30; see notes in locc. An offering of purification (*רִפְּיָה*) is repeatedly mentioned in the sacrificial tablet of Marcellis (lines 3, 5, 7, 9, 13).

instead of promoting humility and purity of heart, they engendered pharisaical pride and hypocrisy, and their mechanical performance by the mass of the people was constantly rebuked by prophets and moralists. More advanced generations require no purificatory laws as injunctions of religion; for they conform spontaneously to the requirements of cleanliness; and they can see no "pollution" in those natural processes and conditions of man, which are inseparable from him as a link in the universal chain of life.



TRANSLATION AND COMMENTARY.

CHAPTER XII.

SUMMARY. — *The ordinances concerning women in childbirth.* For seven days after the birth of a *boy*, the mother is as thoroughly unclean as in the time of her menstruation (ver. 2); while during thirty-three days after the first week, she has merely to keep aloof from holy things and from the Sanctuary (ver. 4): on the eighth day, the boy is to be circumcised (ver. 3). After the birth of a *girl*, both periods of purification are doubled, viz. fourteen and sixty-six days (ver. 5). When the terms are completed, that is, forty days after the birth of a boy, and eighty days after the birth of a girl, the mother, to effect her atonement and purification, has to present a lamb one year old as a burnt-offering, and a young pigeon or a turtle-dove as a sin-offering (vers. 6, 7); but if she be poor, a pigeon or a turtle-dove suffices for the burnt-offering also (ver. 8).

1. And the Lord spoke to Moses, saying, 2. Speak to the children of Israel, saying, If a woman is delivered,

1—8. A certain principle and system of arrangement cannot be mistaken in the purificatory laws. No weight can be attached to the Rabbinical suggestion that, as in the cosmogony the creation of animals preceded that of men, so in the section on purity the animals are treated of first, and then the ordinances relating to men (*Midr. Rabb. Levit.* 22 ed. Stett., Rashi, a. o.): but we may acknowledge a natural progress from precepts on food received from without and assimilated within the body, to precepts on accidents arising from conditions of the human body itself and manifesting themselves externally. And of this latter class of laws, those relating to childbirth,

or the beginning of human life, are logically introduced first. Their meaning naturally coincides with that of the laws of purity in general. They bear no reference to "the first sin for which woman was cursed with the pains of labour" (*Baumgarten, Comment. II.* 161); nor do they imply that every mother is unclean and worthy of death on account of man's hereditary defilement and guilt (*Michael. Typ. Gottesg.* p. 95); they do not teach that "both sin and its punishment lie principally in the relation of the sexes", or that "the flesh, created by God and originally good, has yet, by the sin of the spirit, become the kindling spark of all sinful desires" (*Gerlach, Comm.* pp. 408, 409; *Bren-*

and gives birth to a male child, she shall be unclean seven days; as in the days of the impurity of her

Iano, Pent. II. 69; comp. *Origen*. In Levit. Homil. VIII. pp. 316, 317 ed. Lomm.): they point to no ideas so totally foreign to the conceptions and the character of the Old Testament (see p. 196). They are clearly laws of purity, and their spiritual character is manifest from the religious rites prescribed in connection with them.

After a certain number of days, when the mother might well be restored to perfect health and to her normal state, she was ordered to present a burnt- and a sin-offering. By the one she was to acknowledge the sovereignty and power of God, as the Lord of nature and mankind, to whose will and grace she owes her offspring; and by the other she was to express her unworthiness, from her moral frailty and failings, of receiving so precious a blessing, and of overcoming pain, anxiety, and peril. The impurity itself, inseparable from childbirth, required no atonement whatever, because it is ordained by God as natural and inevitable. It was held physically defiling, but pointed to no moral trespass; it imposed, therefore, necessary restrictions in the mother's intercourse with men, and in her relations to holy things and places; but it called forth no mournful thoughts of self-reproach and abasement. The days of purification at the birth of a girl were double of those observed at the birth of a boy, simply because in the former case the physical derangement of the system was supposed to last longer (see *infra*), and not because, "viewed in reference to the origin of things, the woman is and remains the seducing and the seduced sinner, who is affected by greater impurity, till she is hallowed by the

birth of the pure seed" (*Baumgarten*, l. c.); nor because the female sex "stands a step lower than the male sex", is "more imperfect, weaker, and in a certain respect even more unclean" (*Bähr*, Symb. II. 490); no such difference is traceable in the Hebrew law; for the sacrifices of lustration were identical in both cases, irrespective of the sex of the child. They were in no manner intended to remind the woman of "the corruption of her whole nature, and to impress upon her the depravity of her desires" (*Baumg.* l. c.; *Keil*, Comm. p. 87): the occasion was far too joyful to be dimmed by reflections so gloomy and so unavailing; it was indeed calculated to call forth the feelings of dependence and humility, but no less those of gratitude and exultation; if the former alone were conveyed by the prescribed offerings, it is because they predominated in the solemn hour when the mother, long secluded from the privileges of the Sanctuary, was restored to her full rights as a Hebrew woman, and to the unrestricted communion with her God; yet the ideas of transgression and guilt were decidedly subordinate to those of awe and submission; for the sin-offering consisted of the smallest animal sacrifice lawfully permitted, namely, a single pigeon or turtle-dove; while the holocaust was ordinarily a lamb. *Origen* (l. c.) indeed strives to prove that only sinners, like Pharaoh and Herod, rejoice at their birth-day (Gen. XI. 20; Mark VI. 21), while "to pious and holy men it is an object of execration"; but this startling assertion, which might be expected from a Pliny or a Lucretius, rather than from a Father of Church, and which *Origen* supports by the well-known ut-

monthly illness shall she be unclean. 3. And on the eighth day, the flesh of his foreskin shall be circum-

terances of Job (III. 3—9) and Jeremiah (XX. 14—18), is absolutely contradicted by the Hebrew and Eastern spirit, nay by the very words of those sufferers (comp. Comm. on Gen. p. 134). Nor was the burnt-offering ordained merely because the mother might, in the agony of her pains, have allowed reproachful thoughts to rise in her mind, and the sin-offering, because she might have given expression to them (*Ebn Ezra*, a. o.): the sacrifices were not meant to apply to individual conditions or to special times, but were founded upon the totality of life and the innermost character of human nature. But it is certain that the expiation was performed, not for the new-born child, but for the mother; for though the Psalmist declares, "I was shaped in iniquity, and in sin did my mother conceive me" (LII. 7); though the Pentateuch pronounces "the imagination of man's heart evil from his youth" (Gen. VIII. 21); and Job exclaims, "How can a clean being come from an unclean one! not one" (XIV. 4): sacrifices of atonement were only offered by and for those who understood and felt their significance, and never for children (comp. *Augustin*. Quaest. XL ad Levit.). The new-born boy had indeed to undergo the rite of circumcision, but not as a means of penitence, but of sanctification; it was not intended to atone for innate depravity, but to serve as the sign of a holy covenant; if indeed, in a certain sense, it was a sacrifice, because it involved the feelings of human dependence and submission, it was a holocaust rather than a sin-offering (see *infra*; comp. Comm. on Gen. p. 390); and no initiatory ceremonial whatever was required for new-born girls.

Analogous laws or customs in connection with childbirth existed and still exist among other nations; but they are far more rigid and more capricious than those of the Hebrews. Among the Hindoos, "all the kindred" of a new-born child are impure; the father, who, according to the Hebrew law, is in no way levitically affected, has to undergo lustration by bathing; the mother is unclean till the tenth day, when the child receives its name, and in cases of miscarriage she remains in a state of impurity as many nights as months have elapsed since conception; the house itself, in which the birth takes place, is unclean, and must be sprinkled with hallowed water (*Manu*, V. 58, 61, 62, 66). — Curious are the ceremonies of the Parsees. While in ancient times the new-born child was simply washed with water (*Vendid.* XVI. 18, 19), in later periods it became customary to pour into the mouth of the child a few drops of the purifying juice *para-haoma*, and to wash the body three times with cow-urine and once with water; three years afterwards the father is bound to present an offering to Mithra; for the child is supposed to be fed, in the mother's womb, by the impurities which ordinarily pass away with her menses, and it is, therefore, at its birth believed to be intensely polluted. The mother herself, as soon as her labours begin, is placed on an iron bed, as no wooden one would finally be capable of purification; immediately after the birth of the child, she washes herself, but remains unclean for forty-one days, during which time she takes the same food as in the period of menstruation. Then she makes thirty ablutions with cow-urine and

cised. 4. And she shall *then* continue in the blood of purification three and thirty days; she shall touch no

water, and having put on a new dress, she is at last considered clean. As in the days after her confinement, both she and her child, and the latter even in a higher degree, are deemed to be exposed to the malice of evil spirits, it is strongly commanded to have during the first three days and nights a light burning in the house, since fire, the emblem of Ormuzd and the enemy of the wicked *kharfeshers*, is a powerful protection for the infant (comp. *Vendid.* V. 157; see *Spiegel*, *Zend-Avesta*, II. XIX, XX, XLIV—XLVII). — Among the Mohammedans, the woman is unclean for forty days after childbirth, during which time she has to abstain from all acts of religion and worship. — The Greeks believed they defiled an altar by approaching it after having been near a woman in childbirth (*Eurip.* *Iph. Taur.* 381—383); nay by coming near such a woman they held that they defiled themselves, though excessive rigour in this respect was looked upon as superstition (*Theophr.* *Char.* XVI [XXVII]). During the Peloponnesian war, one of the means they employed for "purifying" the island of Delos (in the 88th Olympiad), was to forbid, that no woman should keep her confinement in the island (*Thucyd.* III. 104). The same prohibition was enforced by the Epidaurians with respect to the holy grove of Aesculapius (*Pausan.* II. XXVII. 1). The mother was not permitted to appear in the temples before the fortieth day, which was generally celebrated as a holiday (the *τεσσαράκοντα*), because within that period most women were still supposed to suffer from the effects of their pregnancy, and to be subject to loss of blood, while the infants are feeble, do not smile, and seem

subject to constant danger (*Censorin.* *Di. Nat. c.* XI). On the fifth day, the well-known ceremony of *amphidromia* (*ἀμφιδρόμια*) took place, when the child was by the nurse or midwife carried rapidly round the domestic hearth; on the same day, sacrifices were offered on behalf of the child, when relatives and friends sent presents; and the name was given either on the seventh or on the tenth day, which was likewise celebrated as a festival (*ὀνομαζτων ἑορτή*; see *Suid.* sub *ἀμφιδρόμια* and *ἑβδομευόμενα*; *Plaut.* *Trucul.* II. iv. 69, 70). — Among the Romans, the mother was required to bathe immediately after her confinement (*Plaut.* *Amphitr.* II. ii. 37; *Ter. Andr.* III. ii. 3); the day on which the child was named — the dies lustricus or nominalis — dedicated to the goddess Nundina, was kept with solemnity; it was for boys the ninth, for girls the eighth day after their birth, for which difference playful reasons were assigned, as, for instance, females grow more rapidly and come sooner to maturity; or even numbers partake of the female, uneven ones of the male character (*Macrobi.* I. 16 sub *fin.*; comp. *Phil.* *Quaest. Rom.* 102; *Pers.* *Sat.* II. 31—36. — *Callim.* *Hymn.* in *Jov.* 10 *sqq.*, in *Del.* 123 *sqq.*, offer no apt parallels). — Some Asiatic nations employ fire for the lustration of women in childbirth. The Siberian women must leap several times over blazing flames. The Siamese keep the mother constantly before a fire for a whole month, turning her, for more efficient purification, frequently from one side to the other, unmindful of her agonies; and the people of Pegu put her for four or five days upon a heated hearth: after these periods they celebrate

hallowed things, nor come into the Sanctuary, until the days of her purification are fulfilled. 5. But if she gives

festivals in honour of the fire, to express their gratitude for its great services. Among the Hottentots the lustration is effected by urine and cow-dung. Many northern tribes, as the Samoiedes, Siberians, and Laplanders, compel the women to remain for six weeks or two months in secluded huts; or they prevent them at least, during that time, from preparing any food, touching the garments or any other property of their husbands, coming near a hearth or the path of men and rein-deer, and above all from approaching altars or places of sacrifice. Among some negro-tribes also the women are kept in isolation during the whole time of their impurity; preparing food for their husbands within this period is a sin of death (comp. *Meiners* l. c. pp. 105—108). Similar customs prevail among the Red Indians and the North-American savages, and seem, in fact, to be common to all nations and tribes which consider physical impurity not merely repulsive, but in some mysterious manner morally polluting.

Though the issue of blood that succeeds childbirth (or lochia rubra) generally lasts only three or four days, and the efflux of the white fluid that follows (lochia alba) usually ceases altogether after two or three weeks, the Hebrew legislator, extending both periods so as to cover extreme cases, fixed significant numbers of days — seven for the one and forty for the other period at the birth of a boy, and twice seven and twice forty at the birth of a girl; for he desired to stamp the time of separation with the seal of religion. The significance attributed to those numbers by the Hebrews requires no illustration in

this place (comp. Comm. on Exod. p. 480; on Gen. p. 185; see also *Henoch* XVIII. 6; XXIV. 2; XXXII. 1; LXXVIII. 4—8; XCI. 16; XCIII. 10; *Philo*, De Septenar. cc. 1, 6, 9, 10, 18, 19, 24; *Yalk. Shim.* I. § 276; *Saadia*, On the Decalogue, ed. Eisenstädter, pp. 12, 13; *Maimon*. Mor. Nev. III. 43; *Ebers*, Aegypten und die Bücher Mose's, pp. 339, 346). But it was particularly striking among the heathens with reference to birth, life, and death. It was believed that "the number seven encompasses the whole existence of man in all its stages to its very termination": conception is decided seven hours after the intercourse; seven days later, the semen is enclosed in a membranous vesicle, as the egg in its shell; from seven to seven days the foetus undergoes marked changes or developments; in the seventh week it is perfectly formed; it is fully matured in seven months; and generally sees the light of day after 273 or after 39 times 7 days; seven hours after the birth of a child, it is possible to decide whether it will live; the seventh day after this period, when the navel drops off, is particularly dangerous to the infant, which previously "resembled a plant rather than an animated being"; after fourteen days, it begins to turn its eyes to the light, and after forty-nine, it notices and distinguishes objects; after seven months, it gets the first teeth, and cuts seven in each jaw; after fourteen months, it sits upright without fear of falling; after twenty-one months, it speaks with distinct articulation; after twenty-eight, it stands firmly and walks with ease; after thirty-five, it shows dislike to the milk of the nurse, and accepts it only from habit; in

birth to a female child, she shall be unclean two weeks as in the time of her *monthly* impurity; and she shall

the seventh year, it looses its first, and gets its second teeth, and the pronunciation of words becomes perfect; at the end of the fourteenth year, both boys and girls enter the period of puberty, the former becoming capable of generation, the latter beginning to have their menses; at the age of twenty-one, the young man has a fully developed beard, which then ceases to grow in length; at twenty-eight, his body has attained its greatest height, which never exceeds seven feet; at thirty-five, the man is in the plenitude of his vigour, which remains on the whole stationary to the forty-second year, when his faculties are highest, and fit him alike for action and counsel; then his strength diminishes, at first slowly till his forty-ninth year, then more perceptibly; and as a rule he reaches the limit of his life in his seventieth year. — Again, the seventh day marks the crisis for most diseases; man has seven great internal and seven other vital organs; his body consists of seven substances and of three times seven limbs; his head, the seat of Divine intelligence, has seven apertures; he dies after seven hours of suppressed breathing and after as many days of hunger. Moreover, seven stars form the constellations of the Great and the Little Bear and of the Pleiads; there are seven planets and seven heavenly circles; summer-solstice takes place when the sun passes the seventh sign after the winter-solstice, viz. from capricorn to cancer, and conversely; the moon completes her revolution round the earth in four times seven days; and twenty-eight is the sum of the numbers from 1 to 7; the deity or the soul of the world itself origin-

ated in this number, which is hence designated "the venerable" (ἐντὶς or σεντὶς), the "sovereign regulator of the human fabric", the "perfect number", or the "key to nearly all things" (rerum omnium fere nodus; comp. *Macrob. Somn. Scip.* I. 5, 6; *Phil. Quaest. Rom.* 102; *Placit. Philos.* V. 18; *Gell. III.* 10; *Censor. Di. Nat. cc.* VII, XI; *Apulej. Metam.* XI *init.* eum numerum — septem — praecipue religionibus aptissimum divinus ille Pythagoras prodidit).

Nor were the Hebrews singular in the belief that the woman suffers more and longer at the birth of a girl than of a boy. It was supposed that the foetus of the former is developed more slowly than that of the latter; that the mother looks more pale, feels greater discomfort, and is exposed to more irregularities and mischances in the one instance than in the other; that the purifications continue, in the one case never more than thirty, in the other never less than forty days after conception; and generally last as long after childbirth (comp. *Hippocr. De Nat. Puer.* I. 393 ed. Kühn; *Aristot. Hist. An.* VI. xxii. 3; VII. iii. 2; iv. 3; xii. 1). Some Rabbins expressed the opinion that both the male and the female child are indeed formed in the mother's womb within 41 days, but that the body of the female is by nature colder and moister, and cold humours require longer time to be secreted and lustrated (comp. *Nachman. in loc.*; *Hotting. Jus Hebr.* p. 231), which questions were eagerly discussed by classical writers also (comp. *Macrob. Sat.* VII. 7; also *Talm. Nidd.* 31^b).

Now, the text enjoins that the newborn boy should, after the first great period of the mother's purification,

then continue in the blood of purification six and sixty days. 6. And when the days of her purification are

or after the lapse of seven days, be circumcised (ver. 3). This express injunction, which might appear superfluous, can in the connection in which it occurs, hardly refer to any other idea than that of purity; but the nature of this purity must be understood in harmony with the entire system of Hebrew theology; it is not of an outward kind; circumcision aims not simply at cleanliness, as it did for long periods among the Arabs and Egyptians (*Herod.* II. 37); it typifies still less "the corruption of the human will manifesting itself in the lust of the flesh", or "the origin and principle of all the impurity of human nature" (*Baumgart.* l. c. p. 182); but being "a sign" (תּוֹכָן) of the holy covenant with the God of Israel, and of the boy's introduction into the chosen community, it marks his transition from the state of nature to that of religion; from pagan uncleanness to the priestly holiness of Israel. In this sense, but in no other, the boy's circumcision is a rite of lustration (see *supra*).

During the second term of recovery, extending over 33 or 66 days, the mother was indeed still under restraints; for the white issue from which she suffers during that time, was also looked upon as "blood of purification" (vers. 4, 5); yet her restrictions applied no longer to the social, but only to the religious sphere; she was not, as in the first seven days, treated with the same rigour as a menstruating woman; her proximity or contact did not defile; she was probably not forbidden to her husband; yet as the *lochia alba* was justly regarded as another, though more lenient, stage of the *lochia rubra*, she was debarred from holy places and

holy objects; she was "to touch no hallowed thing, nor come into the Sanctuary" (ver. 4); she was still in her "days of purification", which closed finally when, at the end of 40 or 80 days, she had cleansed herself by the prescribed offerings. So careful is the author in this respect, that he bids the mother bring the sacrificial animals, not within the precincts of the Sanctuary, from which she was excluded before the completion of the sacrifice, but "to the door" of it, where she was to hand over her offerings to the ministering priest (ver. 6). Bathing is not expressly mentioned, as it formed no part of the religious ritual; but it was doubtless performed as a first and natural lustration, and is at present, together with a special visit and prayer in the Synagogue, the only ceremony observed by Jewish women after childbirth (see *Yor. Deah* §§ 194. 1; 197. 1; 201. 1; comp. also *Holtinger*, *Jus Hebr.* pp. 233, 234; and in general *Mishn. Nidd.* III. 1 *sqq.*). The Christian church still celebrates the annual "festival of the purification of Mary" on the second of February, that is, on the 40th day after the 25th of December, in reference to our law and to an allusion in the New Testament (*Luke* II. 22—24); and in some countries, Catholic women repair to their places of worship to pray, six weeks after their confinement, just as Hebrew women do everywhere.

But in connection with those sacrifices several questions arise which have not been satisfactorily answered, and which lead to interesting historical inferences. Why did the holocaust precede the sin-offering (vers. 6, 8), whereas in all other instances when both were present

fulfilled for a son or for a daughter, she shall bring a lamb one year old for a burnt-offering, and a young pi-

together, the sin-offering preceded the holocaust? And why is the formula, "This is the law for her that gives birth to a male or female child" (ver. 7), which in all similar cases concludes the ordinances, followed by other regulations on the same subject? (ver. 8). It has been contended, that the holocaust, being the larger offering and probably designed for the child as well as for the mother, is indeed first mentioned, but was not first presented (comp. *Talm. Zevach. 89 sqq.*; Rashi; a. o.); or that logical sequence must not be expected, the text employing the concluding formula after having stated the "ordinary rule", and caring less about "exceptional cases", which are treated of in supplementary precepts. It is unnecessary to point out the weakness of these explanations; the sacrifices were not intended for the child, but for the mother only (see *supra*); not the value of the victim, but the character of the offering decided the priority; the last verse (the eighth) forms a necessary and integral part of the law, nay the smaller offering of two birds was doubtless in reality the more frequent one, as it was, for instance, presented by the parents of Jesus, an incidental proof of the humbleness of their station and circumstances (Luke II. 24; comp. *Origen. In Lev. Hom. VIII.* referring to 2 Cor. VIII. 9; *Augustin. Quaest. XL.* in Levit.).

We have proved before, that holocausts were the oldest, expiatory offerings the latest class of sacrifices (see Comm. on Lev. I. pp. 3, 4). Now it is very probable, that offerings of pious acknowledgment or holocausts were, from comparatively early times, presented by Hebrew women after

childbirth, though we have pointed out that this custom was not yet raised into a law at the end of the period of the Judges (see p. 188). The levitical legislator found the practice in existence; and he not only fixed it permanently, but he enjoined besides another sacrifice of that class which had, in his time, risen more and more in importance, and which he deemed the holiest and most essential of all — a sin-offering. A lamb had probably been customary as the holocaust after childbirth; he could not venture to demand another great victim for the sin-offering; and he, therefore, contented himself with prescribing a young pigeon or turtle-dove. Now the ordinances were completed, and the formula, "This is the law" etc. was added to mark the conclusion. But the presentation of a lamb must very soon have become extremely burdensome, when it was no longer left to custom or option, but was required as compulsory by a religious command; it was impossible to enforce it with any degree of rigour or consistency, especially if the prolificness of Hebrew women be considered; it was, therefore, deemed wise to alter the law in so far, as to permit to poorer families the sacrifice of a pigeon or a turtle-dove for the holocaust also; this was the more feasible, as the offering of birds, for long periods unusual among the Hebrews, had become frequent, probably as an unavoidable concession, and had even been adopted with respect to the sin-offering (see Comm. on Lev. I. pp. 474, 475); and then the ordinance permitting two young pigeons or turtle-doves for both sacrifices was appended by a later reviser, satisfied that the addition was

geon or a turtle-dove for a sin-offering, to the door of the Tent of Meeting, to the priest: 7. And he shall offer

demanded by necessity, and convinced that the intention and the frame of mind are more essential than the offering itself (see l. c. p. 51), but unconcerned at the logical offence of adding an appendix to a final conclusion.

But why did he not, in extreme cases of poverty, permit a cereal offering, as he did in several other instances? Without desiring to speak with decision where the Bible affords no hint whatever, we may suggest, that he possibly deemed the sacrifice of a living creature appropriate on occasions connected with life and birth, and therefore eminently requiring the embodiment of the idea of "life for life", or of a vicarious sacrifice (see l. c. pp. 291 *sqq.*).

PHILOLOGICAL REMARKS.—The word *וַיֵּצֵא* (ver. 2) no doubt means "she brings forth seed" i. e. is delivered of a child (comp. *וַיֵּצֵא וַיֵּלֶד* and *וַיֵּלֶד וַיֵּצֵא* Gen. I. 11, 12, 29), since *וַיֵּצֵא* is commonly used for progeny, offspring; so also Ebn Ezra and Abarban. (*וַיֵּצֵא* *וַיֵּלֶד*), Gerlach, Johlson, Herxh., Keil, Luzzatto, Bunsen, a. o.; it does not mean "she has conceived seed", so Targ. Onk. and Jon. (*וַיֵּצֵא* and *וַיֵּלֶד*, see *Nachman* in loc.), Sept. (*ἰδὲ ἐκπαύσεθ* *ἢ*, comp. *ἐκπαύσεθ* *ἢ* *αὐτὴν* to sow something, *Stob.* *Ecl.* I. p. 131, ed. Meinecke), and Vulg., Luther, and Engl. Vera., Rosenm. a. o. Origen, believing the word *וַיֵּצֵא* superfluous in reference to women in general, since they cannot bring forth children without conceiving, considers it to point to the virgin Mary "quae sine semine concepit et peperit" (In *Lev. Hom.* VIII. p. 314). The phrase *וַיֵּצֵא וַיֵּלֶד* (Gen. VII. 3; XIX. 32) has a different sense, viz. "to keep alive seed" or "to secure descendants" (comp.

also *Talm.* *Nidd.* 27^b). The readings *וַיֵּצֵא* and *וַיֵּלֶד* are uncalled for; the former is against the usage. — *וַיֵּצֵא* to be ill (*וַיֵּצֵא* infin. Kal with suff.) is used especially with respect to menstruation, as the feminine of the adjective *וַיֵּצֵא* (XV. 33; XX. 18) a menstruating woman, and the noun *וַיֵּצֵא* (Isai. XXX. 22) a menstruous garment (comp. *Talm.* *Nidd.* 9^a; Rashi, Ebn Ezra, a. o., *לְשׁוֹן מִצְוָה וְהָיָה*; hence *וַיֵּצֵא וַיֵּלֶד* is literally, "she shall be unclean as in the days of the uncleanness of her being unwell", that is, she shall be as unclean and subjected to the same rigorous rules and restraints as in the time of her menses (comp. *Lev.* XV. 19, Rashi, *כָּדָרִי כֵל טוֹמְאָה*, *וְהָיָה כְּדָרִי*); for *וַיֵּצֵא* stands instead of *וַיֵּצֵא*, the time being expressed by the simple accusative (Gram. § 86. 4). The same sense is conveyed more briefly in ver. 5 by *וַיֵּצֵא וַיֵּלֶד*, where *וַיֵּצֵא* signifies also the period of her impurity, and is therefore likewise employed in the simple accusative. Indistinct is the rendering of the Septuagint *κατὰ τὰς ἡμέρας τοῦ χωρεῖν αὐτῆς ἀπὸ τῆς ἀκαθαρσίας αὐτῆς*, and of the English Version "according to the days of the separation for her infirmity shall she be unclean"; inexact that of Onk. and Jon. *וַיֵּצֵא וַיֵּלֶד*, and of the Vulgate *juxta dies separationis menstruae*; and quite incorrect, both as regards the words and the context, that of Luther and Michaelis "so lange sie ihre Krankheit leidet", and "so lange ihr Wochenbett währt" (by which the time of *lochia rubra* is meant). The noun *וַיֵּצֵא* is indeed derived from *וַיֵּצֵא* to flee, to remove, and signifies, therefore, in the first instance, separation or removal (so Rashb. a. o. avoidance of, and separation from, her husband;

it before the Lord, and make atonement for her, that she may be cleansed from the issue of her blood. — This

Rashi on XV. 19, *מנדה מנדה כל זמן*; but then it means that which is to be shunned and avoided, that is, *impurity*, used parallel and coupled with *טמא* (XVIII. 19; Ezek. XXXVI. 17; Ezra IX. 11), whether the impurity is physical, as the menstruation of women (XV. 19 *sqq.*; Ezek. XVIII. 6; XXII. 10), or moral, that is, *iniquity* (Zech. XIII. 1) and *abomination*, as incest (Lev. XX. 21) and idolatry (2 Chr. XXIX. 5; comp. *רצח* and *רצח*), or *loathing* and *disgust* in general (Ezek. VII. 19, 20; Lam. I. 8, 17), while *טמא* (Num. XIX. 9 *sqq.*; XXXI. 23) is *water of* or *for impurity*, i. e. for the removal of impurity. It will be seen that the word *טמא* occurs only in works written during and after the Babylonian exile; it became current in late periods only, when the laws of levitical cleanness were fully developed (see p. 194). The derivations from *טמא*, so that *טמא* would be formed like *טמא* (Fürst), or from the Arabic root *טמא* to ripple, to flow (Wogue), are doubtful. — *טמא* (in vers. 4, 5) is hardly "she shall remain at home" (so Luther, Michael., Dathe, Knob., Bunsen, a. o.), much less, as Nachmanides fancifully interprets, "she shall sit, and not walk", since "by her steps she defiles the earth and taints the air" (Gen. XXXI. 35 affords no proof); but simply "she shall continue" in the blood of her purification (so Vulg. *manebit in sanguine*, Engl. Vers., Herzh., Cahen, Johnson, a. o.); an active Hebrew woman, so useful in field and vineyard, could not be expected to stay at home for full 40 or 80 days from her confinement, and long after she had recovered her full vigour and power for work; the construction *לִּי טמא* (in ver. 5) also favours the latter inter-

pretation; although some codices read both times *טמא* (see *De Rossi*, Var. Lectt. I. 96), and the Sept., Vulg., Ohald., and Ar. render so (*iv*, in, etc.): passages like Gen. XIII. 18 and Deut. I. 46, in which the place is mentioned after *טמא*, or like Hos. III. 3 (*טמא לי*), are not parallel with ours. It is, therefore, impossible to entertain the view of Theodoret (Quaest. in Lev. XIV) and others (as *Trusen*, *Sitten* etc. p. 112), that 40 or 80 days of impurity were fixed merely with the object of securing to the woman complete rest after her exhausting pains; they were not fixed as a matter of expediency but of religion, and "the rest", especially with regard to conjugal intercourse, ceased after the first short terms of 7 and 14 days. — *טמא טמא* (vers. 4, 5) is the impure blood, the removal of which effects purification, whence the Sept. renders the words indifferently *αἷμα καθαρτοποιῶ* (ver. 4) and *αἷμα καθαίρων* (ver. 5). Rabbinical interpretation too decidedly explains them to mean "pure blood" which is not defiling, in contradistinction to *טמא טמא* (Ebn Ezra, Rashb., Nachman. fol. 92^a; see *infra*; comp. *Geiger*, *Jüd. Zeitschr.* II. 27, 28; comp. I. 51, 52; Michaelis also has "reiner Blutabgang"); and Rashi renders by way of hypallage "purification of blood." — *טמא* (vers. 4, 6) is the constr. inf. Kal of *טמא*, formed in the manner of verbs *טמא*, like *טמא* (Ezek. XXXIII. 12), *טמא* (Prov. VIII. 13), etc.; see Gramm. II. § LXVI. 13. — *טמא* (ver. 5) for *טמא*, "as in the time of her menses" (see *supra*); Sept. *κατὰ τὴν ἀφαισθῆσιν αὐτῆς*, and more distinctly still Vulg. *juxta ritum fluxus menstrui*; Onk. and Jon. inaccurately *טמא טמא*; Dathe incorrectly *pro duratione puerperii sui*. —

is the law for her that gives birth to a male or female child. — 8. And if her fortune does not suffice for a lamb,

The sense לִבָּן אִם לְבָן (ver. 6) is "with reference to — or at the birth of — a son or a daughter", for the mother and not the child required purification; Sept. correctly ἐφ' ὅτι ἢ ἐπὶ τοῦ γατρῶς; Clericus ob filium vel filiam, i. e. prout marem aut foeminam peperit. — The term לִבָּן אִם לְבָן (ver. 6), an animal one year old (Sept. ἐνιαύσιος; Vulg. anniculus, etc.), instead of the more usual בֶּן־שָׁנָה, is found exclusively in later writings, viz. in Ezekiel (XLVI. 13), and the middle Books of the Pentateuch (Lev. XXIII. 12; Num. VI. 12, 14; VII. 15—81; and אֶת־לֶבֶן־שָׁנָה Lev. XIV. 10; Num. VI. 14; XV. 27), and is, therefore, like אֶת־לֶבֶן an incidental proof of the late origin of this section (see p. 194). — The verb יָרָא (ver. 6) has three different complements; hence the Vulgate, to render the construction easier, inserts before the third a new verb — "et tradet sacerdoti." — The subject of יָרָא and יָרָא (ver. 7) is of course הַכֹּהֵן (comp. ver. 8), to be supplied from the preceding verse; it is added in a codex of Kennic., and expressed by the Samar., Sept., Syr., and Jonath. — The suffix in יָרָא, though in the singular, refers, collectively, to both sacrifices (Ebn Ezra וְהָיָה הַכֹּהֵן הַזֶּה), and not, as Rabbinical interpreters maintain, to the sin-offering only, on which the purification and atonement of the mother are supposed to depend (*Siphra* in loc. fol. 59^a ed. Schlossb.): the holocaust being the older, and for a long time perhaps the only sacrifice presented, it is in the prescribed ritual at least of equal importance with the sin-offering. — On לֶבֶן see Comm. on Lev. I. p. 476; the Vulg. paraphrases (in vers. 7 and 8) "et orabit pro ea"; and the Sept. renders the fol-

lowing יָרָא וְיָרָא καὶ καθαρῇ αὐτῇ, as if reading יָרָא וְיָרָא. — The sense of יָרָא (lit. "the spring of her blood") cannot be doubtful (comp. XX. 18); Sept. πηγῇ τοῦ αἵματος; Vulg. profluvium sanguinis; Luther a. o. Blutgang; inaccurately Onkel. מַשְׁכָּא, Michael. Wochenbett, a. o. — Several manuscripts, the Samarit. Text and Vers., and the Arab. וְיָרָא (ver. 7) instead of 'א, which is indeed an unessential deviation, since י also has occasionally disjunctive force (Gr. § 107. 1^e); but as this is very strongly expressed in the double ל (in יָרָא וְיָרָא, whether — or), 'א is preferable (as in ver. 6): the Masorites seem designedly to have provided יָרָא with a strongly distinctive accent (Luzz. tanto per la nascita di un maschio quanto etc.). — On the phrase יָרָא וְיָרָא (ver. 8) see Comm. on Lev. I. 515 (on V. 7). — The Samar. and Syr. Vers., and a codex of Kennicot, give (in ver. 8) יָרָא precedence before יָרָא, evidently in order to obviate difficulties which have been discussed above. The Rabbinical, and no doubt the correct interpretation of this chapter, as embodied in the Targum of Jonathan, is this: the mother is unclean only during the first seven or fourteen days after childbirth; on the eighth or fifteenth day, after having bathed, she is clean (ver. 3, יָרָא), and fit for conjugal intercourse; and her discharges in the following 33 or 66 days are also clean (ver. 4, לֶבֶן יָרָא); yet she is during this time to keep aloof from the Sanctuary and all sacred things (as tithes, יָרָא, and the flesh of thank-offerings): thus a double "flow of blood", a clean and an unclean one, is distinguished (יָרָא וְיָרָא, ver. 7; *Talm.* Nidd. 35^b, 42^a; Shabb. 64^b;

she shall bring two turtles or two young pigeons, the one for a burnt-offering, and the other for a sin-offering; and the priest shall make atonement for her, that she may be clean.

Yor. Deak II. cc.; *Mitzv. Hashem* p. 27^b). The Sadducees, on the other hand, and with them the Samaritans and Karaites, though admitting a difference of degree between the two periods, declared the woman even during the second term too unclean for matrimonial connection;

they are, therefore, in this instance, more strict than the Rabbanites, who have certainly the tenour and the wording of the Law on their side. — The Mishnah (Kerith. I. 3—7) ordains sin-offerings also in certain cases of abortion.

CHAPTER XIII.

SUMMARY. — ON LEPROSY OF PERSONS AND GARMENTS AND ITS TREATMENT. —

1. *Leprosy developed from plague-spots in the skin* (vers. 1—8). A rising (רֹקֶחַ), or scab (רִשָּׁעַת), or bright spot (רִשָּׁתָּה) on the skin, with the hair on that part turning white, and the part itself appearing to be deeper than the rest of the skin, constitutes a leprous disease (רִשָּׁתָּה זָרָה) and causes uncleanness (vers. 1—8). But a white spot which does not appear to be deeper than the other skin, and the hair of which does not turn white, is a doubtful symptom requiring to be carefully tested: if after a week's seclusion of the person so affected, the disorder does not spread, but remains unchanged in appearance, he is to be subjected to another term of confinement of the same duration; if then the diseased part is found to be paler and has not extended farther, it is merely affected with a scab (רִשָּׁעַת), and washing of garments suffices to restore cleanness (vers. 4—6). But if at the end of the first or second week, the disorder has spread, and, on renewed inspection by the priest, is discovered to have made another advance, it is polluting leprosy (vers. 7, 8). — 2. *Leprosy breaking out direct on the body, and not from plague-spots* (vers. 9—17). The presence of raw flesh, and whiteness of the hair on a white rising, characterise confirmed and defiling leprosy (vers. 9—11). White leprosy extending equally over the skin of the whole body, is not considered a tainting disease (vers. 12, 13); yet it becomes one by the appearance of red raw flesh on any part (vers. 14, 15); when such flesh disappears and the original white colour returns, the sufferer is restored to a state of cleanness (vers. 17, 18). — 3. *Leprosy arising in consequence of a healed boil* (vers. 18—23). A white rising or a reddish white spot appearing in the place of a healed boil (רִשָּׁתָּה), is real leprosy, if it seems lower than the skin, and if the hair on it turns white; but it is merely a scabby scar left by the boil if it does not show these two symptoms, is pale in colour, and does not spread within seven days of seclusion after the first inspection by the priest. — 4. Precisely the same regulations apply to the bright spot which may arise in the place of a burning (רִשָּׁתָּה, vers. 24—28). — 5. *Leprosy on hairy parts of the head and face* (vers. 29—37). If an eruption on the head or at

the beard appears deeper than the other skin, and is covered with yellow thin hair, it is a scall (פֶּרֶץ), or leprosy of the head or beard (vers. 29, 30). Now, if indeed the diseased part seems not deeper than the other skin, but has yellow hair upon it, it is examined again after seven days of isolation: if then the disorder has not spread, and the yellow hair has vanished, the sufferer is to shave his body with the exception of the afflicted parts; and if, after other seven days of separation, the scall has preserved the same limited extent, he is to be declared clean by the priest, and has merely to wash his garments; yet if after that time the evil spreads, he is unclean, whether yellow hair shows itself or not; and he becomes only clean when the irregularity ceases, and black hair grows on the affected place (vers. 31—37). — 6. *Harmless leprosy* (vers. 38, 39). A palish white eruption on the skin (רִיבָּהּ or פֶּתִיחַ) is harmless, and does not render unclean. — 7. The same applies to *baldness at the back of the head or at the forehead* (vers. 40, 41); but a reddish white rising on the bald places, resembling in appearance leprosy of the skin, is looked upon as that disease, and causes uncleanness (vers. 42—44). — 8. *Social status of the leper* (vers. 45, 46). — He shall rend his clothes, bare his head, cover his beard, and at the approach of strangers exclaim, "Unclean, unclean!"; during the whole time of his illness he is to stay in an isolated place without the camp. — 9. *Leprosy of garments* (vers. 47—58). If garments, or linen and woollen stuffs, or objects made of skin, show greenish or reddish spots, they may possibly be affected with leprosy; hence they are to be shut up by the priest for a week; if on the seventh day the spots have spread, it is a case of malignant leprosy, and the garments and stuffs must be burnt; but if the spots have not extended, the things are to be washed, and removed for other seven days; if after the washing, the spots do not change their colour, whether they spread farther or not, the garments are unclean, and must be burnt; if the spots become pale after the washing, the part is to be torn out, and if they yet appear in the stuffs, these are to be burnt; for it is a spreading leprosy; but if the spots vanish altogether after the washing, the objects are washed a second time, and thus become clean. — Then follows 10. *the concluding formula* (ver. 59).

1. And the Lord spoke to Moses and Aaron, saying,
2. If a man has in the skin of his flesh a rising, or a scab, or a bright spot, and it becomes in the skin of his flesh a plague of leprosy; he shall be brought to Aaron the priest, or to one of his sons the priests. 3. And

11—13. Of the various diseases endemic among the ancient Hebrews, none was more inveterate, and none more disastrous, than leprosy. It clung to them from the earliest to the latest times; it was by all but general tradition attributed to them during their stay in Egypt, especially in the age

of Moses, and was together with other contagious disorders, not unfrequently represented as having caused their expulsion from that country (comp. *Manetho*, *Chaeremon*, and *Lysimachus* ap. *Joseph.* C. Ap. I. 26, 32, 34; *Tacit.* Hist. V. 8; *Justin.* XXXVI. 2; *Diod. Sic.* XXXIV. 1;

the priest shall look on the plague in the skin of the flesh: and *if* the hair on *the part affected with* the plague is turned white, and the appearance of *the part affected with* the plague *is* deeper than the *other* skin of his flesh,

XL init.; see *supra* p. 111). Nay it prevailed, even in the Assyrian, Babylonian, and Persian periods, to such an extent, that the most elaborate laws of precaution were deemed imperative. Its occurrence, in striking instances, is mentioned during all intermediate and even in much later epochs — at the time of the Hebrew wanderings in the desert and of the Judges, of the earlier and of the later kings of Judah, of Christ and his apostles; for it is connected with the names of Miriam and Joab; of Gehazi and the “four lepers” who, driven by the despair of starvation, ventured into the hostile camp of the Syrians; of the kings Azariah and Uzziah, and of Job; of Simon the leper of Bethany, and the many lepers healed by Christ at various times (comp. Num. V. 2—4; XII. 10—15; 2 Sam. III. 29; 2 Ki. V. 27; VII. 3; XV. 5; 2 Chr. XXVI. 19—23; Job II. 7, 8; VII. 5; XIX. 17, 20; XXX. 17, 30; Matth. VIII. 2, 3; X. 8; XI. 5; XXVI. 6; Mark I. 40—42; XIV. 3; Luke IV. 27; V. 12, 13; VII. 22; XVII. 12; see also *Talm. Sanh.* 107^a, 110^a). Nor was the disease less frequent in the neighbouring countries, as Syria, Phoenicia, and eastern Asia in general; it was above all so common in Egypt that this country was considered the chief, if not the sole, centre of at least a principal form of the disorder (comp. 2 Ki. V. 1 *sqq.*; Exod. IV. 6, 7; Deut. XXVIII. 27; *Lucet.* VI. 1112, 1113, *Est elephas morbus qui propter flumina Nili Gignitur Aegypto in media, neque praeterea usquam; Pnia.* XXVI. 1 or 5, *Aegypti peculiare hoc malum est*); it appeared

sporadically at the beginning of the Christian period in Germany; imported by the returning crusaders, it spread, in the twelfth century, to a fearful extent, over Greece and other European countries; and though mostly found in warm and damp coast-lands, as in Arabia and at the Persian gulf (*Herod.* I. 138), on all the shores of Africa and along the Mediterranean, in Sumatra and Java, in Ceylon and the islands of the Southern Ocean, the West Indies, Surinam, and Brazil; it invaded, though often with modified features, colder climates also, as Iceland, Norway, and the Faroë islands, the Crimea and Astrakhan; it rendered necessary an incredible number of leper houses and hospitals — France alone had in the thirteenth century above 2000 —; till it gradually yielded to rigid precautions in diet, cleanliness, and habits; throughout central Europe it was considered extinct in the seventeenth century; yet it lingers still in some parts of Portugal and Spain, especially Asturia; even in Germany several cases, though with comparatively mild symptoms, have recently been noticed; it rages occasionally in Egypt, where in 1845 a French hospital was erected at Constantine, and among the Falashas in Abyssinia; it is not rare in the districts of the Lebanon and the Jordan, in Boera, Bagdad, and Damascus, and in Jerusalem, where before the Zion gate a colony of lepers is still found, inhabiting about a hundred wretched huts; these unfortunate sufferers intermarry with each other, producing a progeny as miserable

it is a plague of leprosy: and *when* the priest sees it, he shall pronounce him unclean. 4. But if the bright spot is white in the skin of his flesh, and its appearance is not deeper than the *other* skin, and the hair

as themselves; and though loathed and shunned, they are allowed to enter the town to buy provisions, or to beg for alms.

Although the Bible often mentions leprosy, and even discusses it in some portions, it affords no information as to the origin and causes of the dire disease. This will not be surprising to those who bear in mind the principle of Divine retribution, upon which all laws and narratives of the Bible are framed, and which, disdaining to trace effects to natural agencies, represents diseases mainly as heavenly inflictions and providential visitations. With respect to leprosy, the Bible adheres most strictly to that principle. For leprosy appears in all instances as the result of God's immediate interference — as a trial in the case of Job, as a fearful punishment in all the others: Miriam uttered disrespectful words against God's chosen servant Moses; Joab, together with his family and descendants, were cursed by David for having treacherously murdered his great rival Abner; Gehazi provoked the anger of Elisha for his mean covetousness, calculated to bring the name of Israel into disrepute among the heathen; king Azariah clung to the reproachful worship on high places; and Uzziah was, according to the Chronist's characteristic account, smitten with incurable leprosy for his alleged usurpation of priestly privileges in burning incense on the golden altar of the Temple. Jewish tradition clung consistently to the same views; the Talmud declared, that leprosy should be looked upon

by the sufferer as "an altar of atonement", since it is only sent for great transgressions, such as idolatry and incest, calumny and perjury (comp. *Talm.* Berach. 5; Sanh. 107^a, 110^a; Erach. 16; Bab. Bathr. 164^b; *Av. Rabb. Nath.* c. 9; *Midr. Rabb. Lev.* c. 16); and Kabbalists maintained, that the Messiah, though having long since appeared on earth, delays the work of redemption, because he must first expiate the iniquities of mankind; and that he does this by taking upon himself the plague of leprosy (comp. *De Wette*, *De Morte Jes. Chr.* expiat. pp. 67, 68).

Influence of climate can scarcely be set down as the chief cause of a disorder which has raged in all parts of the old and the new world, both in dry highlands and in humid valleys, both in the torrid and the frigid zones. Diet, next to damp dwellings, a marshy atmosphere, ill-aired clothes, and uncleanness, may be of greater moment, though indeed no station or mode of life secures immunity. Salt fish and salted cheese, fat and oil, indigestible or insufficient food, putrid water, pork, camel's or buffalo's flesh eaten abundantly, and milk drunk after fish, have in ancient and modern times been asserted to engender the disease. Woollen garments are considered to promote it, linen ones to ward it off. Inflammation, boils, or wounds may hasten its development in constitutions predisposed to it by the unhealthy action of the blood. Violent emotions, such as fright, anger, fear, or excitement, have been observed to produce or to favour it. But all this hardly passes

thereof is not turned white; the priest shall shut up *him that has* the plague for seven days: 5. And the

beyond the sphere of vague conjecture or probability. Nor is there any foundation for the theory (brought forward by Calmet), that leprosy is caused by small animalcules, which, settling between the skin and the flesh, gnaw away the epidermis and cuticle, and then the extremities of the nerves and the flesh; or for the Rabbinical supposition, that it arises from a disturbance of the assumed equilibrium in the human frame between water and blood, the latter unduly preponderating (see *Yalk. Shim.* on Job XXVIII. 25, II. no 916, fol. 151^b). In fact, its exact origin has up to our time baffled both observation and science.

Leprosy is generally classed among the diseases of the skin; but its germ lies deeper in the constitution, in an excessive hardening and thickening of the blood-vessels, and in a consequent derangement in the circulation and production of the blood; it testifies to a complete degeneracy of the body, of the liver, the spleen, and the lymphatic system, and to the corruption of the cellular tissue, which fills itself with a peculiar milky fluid congealing and drying up, and thus producing pale and chalk-like spots (comp. *Phil. Symp.* IV. v. 3). It appears in two essentially different forms, either as "white leprosy" (*leuke, lepra alba*, *بَرَص*, *barras*), or as *elephantiasis* and *lepra leonina*. The former kind only — the white leprosy — concerns us in this place; for it is that which is treated of in our section of Leviticus, and is hence also called *lepra Mosaica* or *Hebraeorum*; while elephantiasis, first and mainly attacking the feet, is probably meant and described in the Book of Job

(comp. Job II. 8; VII. 4, 5, 13, 14; XVI. 8, 16; XIX. 17, 20; XXX. 30; etc.).

Men are liable to white leprosy at all ages, though seldom before the time of puberty, and not very often after the fortieth year; women generally at the end of their first menses, when it proceeds slowly till their second childbirth, after which it makes fearful and rapid advances. In the beginning, it is deceitfully insignificant and almost imperceptible; it then differs but little from ordinary and harmless affections, such as moles or freckles. It seems for some time entirely confined to the skin, without having the least connection with the inner organism. First appear small tumors of a glossy white, sometimes of a livid-red or violet colour, and often there is not more than one hardly larger than a needle's point; they commonly rise on hairy parts of the body, principally the face, the arm-pits, or the genitals, yet also on the forehead, the nose, or finger, and often in the place of healed boils or burnings of the skin. They are so scattered and diminutive that they are easily overlooked; so utterly painless and insensible that they may, without the least effect, be pierced with red-hot pins; so free from all inconvenience that they are usually disregarded; yet so obstinate and obnoxious that they are absolutely irremovable. Owing to their indistinct colour, they seem to lie deeper than the surrounding skin, in the manner of scars, though they are in reality flat elevations. If cut with a pointed instrument, they do not emit blood, but a whitish humor. For a long time, often for ten or twenty years, if careful diet be observed, they

priest shall look on him the seventh day; and, behold, if the disease has remained the same in its appearance,

are the only symptoms of the approaching disease. The patient suffers no pain, eats and drinks with keen appetite, and is not incapacitated for sexual intercourse. But gradually, though by almost inappreciable stages, important changes take place. The hair on the swellings turns white, becomes woolly, and then falls out. The patient feels a slight rigidity in the hands and feet, is languid and depressed, subject to a feverish alternation of heat and cold, and to a strange tickling in all limbs as if ants were crawling over his body. The tumors get larger, and spread over the face, the ears, and the fingers, and then indiscriminately over the whole skin, which appears "white like snow." They penetrate through the cellular tissue to the muscles and bones. When they have attained about the size of a bean, the malignant nature of the malady is decided, which now hastens on in its baneful course. Sometimes they soften into distressing pustules, which burst, become boils, or heal, leaving slightly deepened and whitish scars, and rendering the skin excruciatingly sensitive: this is the "smooth" leprosy. But more frequently they remain and spread, join and become inflamed and extremely offensive in smell: this is the "tuberculous" leprosy (*l. squamosa*). But both forms take essentially the same development. The skin is hardened, rough, and chapped, and exudes a lymph producing large concretions which break from time to time, and under which often foul and spongy tubercles are formed. That lymph is so powerfully corrosive that it indelibly taints woollen stuffs and linen tex-

tures, defies removal by water or chemicals, and may by contagion propagate the disease. The pulse is feeble, the urine copious and earth-like. The blood loses the power of coagulation, and is filled with little sandy globules. The wounds heal of themselves without cure or medicine, to reappear deepened and enlarged. But some tumors contain neither that white and viscous pus nor water, but are covered with a thick white skin, under which appears raw flesh, soft and dingily red, often protruding in all directions and growing to a considerable size. The whole body is tormented by a violent itching, for which scratching, even to bleeding, affords no relief. The hair is covered with a dirty and offensively smelling crust, or it falls out, especially just above the forehead. The eyebrows bulge out, the eyelids upturn, and the hair of both drops off; the eyes are dimmed, become painfully sensitive, and bleed. The tears are hard and pungent, ulcerate the eyelids, and often even the cheeks. The face, repulsively disfigured, is generally covered with knotty, dirty, deep-red tumors, which congregate in grape-like clusters, or form large knobs separated by deep furrows. The nose is transmuted into a shapeless lump, for the upper part becomes bloated, the nostrils expand, the ridge softens, and the passage is partially stopped. The lips swell to such a size that it is impossible to close the mouth, which secretes abundant saliva, and emits a nauseous breath. The jaw-bones, the tongue, and the roof of the mouth, are frequently covered with excrescences, and then the breathing is thick, heavy, and asthmatic, and the speech

and the disease has not spread in the skin; the priest shall shut him up seven days again. 6. And the priest

laborious, hoarse, and unequal. The ears are puffed, and the hearing is impaired. The joints of the hands and feet become vitiated by glandular nodules, distend, and lose their vital power; the palms and soles are dotted with dry and deep pimples by turns rising and disappearing; the extreme points of the fingers and the toes swell; the nails thicken, get scaly, bend, and fall off. The genitals, monstrously enlarged, are infested by cancerous knots. The lung, liver, spleen, and the viscera harden and shrivel. The mucous membranes and the skinny coverings of the nerves grow abnormally, and thicken to such extent that large parts of the body become insensible. The bones are emptied of their marrow, while in some parts of the cellular texture, where the sinews and the cartilage of the joints separate, fat and tallow are formed. An unconquerable torpor seizes all senses. Then the itching decreases, though it does not cease. The frame is emaciated, and occasionally a limb drops off withered or decayed. Debility or consumption, constantly advancing through fever, diarrhoea, and dropsy, makes life a burden. The miserable sufferer is tortured by harrowing dreams, gloomy dejection, and thoughts of suicide, which often prove irresistible. Though, as a rule, experiencing great discomfort rather than violent pain, he now presents a hideous spectacle. He is loathsome to the eye and insufferable to the smell, in which respect he often resembles a corpse in an advanced state of decomposition. His dissolution is progressing limb by limb. It is literally living death. Indeed his condition is so wretched

that, as an ancient writer observes, "any death is preferable"; and his trials are by the Rabbins compared with the loss of children, since both cannot easily be borne with resignation (*Talm. Berach. 5^b*). Yet his sexual desires not only remain, but are morbidly intensified; they assume a repulsive vehemence, and sometimes continue to the very day of his death, whence Galenus designated leprosy as *satyriasmus*. Thus the leper lives on to the age of fifty and upwards. At last, a very slight fever, or sometimes suffocation caused by the swelling and closing of the windpipe, releases him from a pitiful existence, not seldom suddenly and unexpectedly.

In many cases, the disorder is hereditary. Infants born of leprous mothers die, unless they are at once separated from their mothers. Yet the evil is not transmitted regularly or in continuous succession, and rarely beyond the third or fourth generation, when it still manifests itself by decayed teeth, foul breath, and sallow complexion, but by no more serious symptom. This may be one of the reasons, besides uncontrollable desire, why neither among the Hebrews nor among other nations lepers were forbidden to marry. — Again, leprosy is often contagious, if not directly, at least through dangerous concomitant disorders, such as obstinate scab and syphilis; it was supposed to be communicated both by inhalation of the infected air and by actual contact, both through sexual and through longer social intercourse. It would be very precarious to deny, on the strength of recent observations, the infectious character of leprosy, because this disease was,

shall look on him again the seventh day; and, behold, *if the part affected with the plague is pale*, and the plague has

in ancient times, infinitely more malignant. Therefore lepers were, in most countries, expelled from society, and forced to live apart beyond the gates of towns, in hospitals, or in "houses of separation" (בֵּית הַיִּזְעָדִית or בֵּית כִּזְעָדִית, at present *chush el kaatti*). Jewish lepers were, under penalty of eighty stripes, forbidden to approach the mountain of the Temple; yet they were not rigidly confined to isolation, but were allowed to move about freely, and, in towns without walls, even to enter Synagogues (comp. Lev. XIII. 46; Num. V. 2—4; XII. 14, 15; 2 Ki. VII. 3, 4; XV. 5; 2 Chr. XXVI. 21; also Job XIX. 13—17; *Joseph. Ap. I.* 31; Ant. III. xi. 3; Bell. Jud. V. v. 6; Matth. VIII. 2; Mark I. 40; Luke V. 12; XVII. 12; *Mishn. Kel. I.* 7; Neg. XIII. 12; *Phot. Bibl.* p. 41^b ed. Becker, παρὰ Πέρας οὐ λεπρός . . . πᾶσι δακρύουσι). It was of the utmost importance that they should, on the remotest suspicion, present themselves for inspection to competent authorities, such as the appointed priests, and should be pronounced clean only after repeated and most scrupulous examination. They had no right to complain of a personal restriction which was imposed in the interest of society as well as in their own; for society was freed from apprehension and danger, and they themselves from a distrust which, even when unfounded, was sure to injure their social position. If declared to be infested with the evil, they were required to make themselves strikingly known at first glance; like mourners, they were to appear in public with rent garments, bare head, and covered beard; thus signalled,

they would surely be shunned; but if yet any one should inadvertently come near them, they were to warn him off by the loud wail, "Unclean, unclean!" (Lev. XIII. 45). They were even interred in a separate burial ground (2 Chron. XXVI. 23). In the middle ages, lepers, when walking abroad, were, in some countries, obliged to make a constant noise with a rattle, to wear two artificial hands of white wool, one tied on the breast, the other on the head, and to make themselves otherwise conspicuous. However, leprosy is not invariably contagious, and in no case so powerfully or so virulently, as pestilence or pox; therefore, in Egypt and elsewhere no precautions are taken to prevent infection; and the patients mix, and even eat at the same table, with their families and friends.

But leprosy was, from early times, considered to be an incurable disease. Celsus declared that no person once afflicted with white leprosy is easily freed from it; and even if the malady should be mitigated, of which there is hope if in cutting or pricking the skin, blood and not white matter issues, a healthy complexion is never completely restored (*Cels. De Medic.* V. xxviii. 19). Nor has medical science hitherto made any advance in the treatment of leprosy; all the remedies that have been tried, tend only to increase the sufferer's agonies, to complicate the malady, and to accelerate the crisis. The symptoms are often deceptive; for white spots on the skin are by no means an unfailing sign or guide; if they grow paler and do not extend, they indicate merely a scab (vers. 2—6); if they cover the entire body as with shining scales, they

not spread in the skin, the priest shall pronounce him clean: it *is* scab; and he shall wash his clothes and be

force the unwholesome matter from the constitution to the surface, fall off within ten or twelve days, and then leave the skin clear and white "like the flesh of a little child" (vers. 12, 13; 2 Ki. V. 14); if they are of a peculiar dull and palish white, and of unequal size, and appear chiefly on the neck and in the face, they usually result in a harmless cutaneous eruption, still known among the Arabs by the old Hebrew name *bohak* (פִּיִּי, vers. 38, 39, Gr. δλφός), which is "neither infectious nor dangerous", and still less hereditary; it hardly occasions any inconvenience, and causes no change in the colour of the hair; it spreads and remains from two months to two years, and then gradually vanishes of itself (comp. vers. 18—28). That which was presumed to be leprosy, frequently turns out to be some very different disorder, and suspected persons were consequently often pronounced clean. Yet this does not imply that leprosy was considered curable; the recovery of Job affords no proof; for it is no real fact, but serves a didactic end in a philosophical work, and the Bible distinctly declares the Egyptian leprosy as incurable (Deut. XXVIII. 27). Miriam, smitten with leprosy, is described as "one dead, of whom the flesh is half-consumed when he comes out of his mother's womb" (Num. XII. 12); the "uncleanness" of the leper is, according to the Law, but little inferior to that caused by death itself; Josephus affirms that he "differs in nothing from the dead" (Ant. III. xi. 3); and it is a current Talmudical adage, "the leper is counted a dead man", like the poor, the blind, and the childless. Similar to

the great Greek physicians, the Bible prescribes no treatment, alludes to no remedy, but confines itself to a description of symptoms and the injunction of sanitary precautions. Popular or traditional cures were probably applied; thus the Syrian captain Naaman was healed by bathing in the Jordan, the water of which was, on account of the sulphuretted hydrogen it contains, like the baths in Tiberias, much valued for its remedial properties (comp. 2 Ki. V. 10, 14; *Talm. Shabb.* 38^b; *Megill.* 6^a); just as the Greeks deemed bathing in the river Anigrus in Elis an efficient restorative (*Strab.* VIII. iii. 19, p. 547); and very often good results were expected from bathing in, or rubbing the body with, blood (comp. *Plin.* XXVI. 1 or 5; *Midr.* on Exod. II. 23; etc.; *Friedreich*, *Zur Bibel*, I. 225, 226). But it would have been extremely unwise to embody definite directions in a code meant to be unalterable for all times, and thus to annul beforehand the possible progress of medical science in reference to a disease which takes many different forms, and, in the course of centuries, materially changes its character. Those only who assume a direct and Divine inspiration of the legislator might, with some justice, expect an infallible method of perpetual validity, were they not, by another principle of Biblical orthodoxy, compelled to conclude that God, having reserved for Himself the infliction of leprosy as one of His means of retribution and chastisement, could not fitly, by revealing an effectual cure, defeat the force of His own judgments. That "Moses", in addition to the instructions of this chapter,

clean. 7. But if the scab spreads in the skin, after he has been seen by the priest for his cleansing, it shall be

orally imparted to the priests more precise hints regarding the treatment of the disorder, is a gratuitous assumption resting on artificial inferences (see f. i. *Michaelis* Mos. R. IV. 181; Orient. Bibl. XVII. 20—22).

As might be expected, leprosy has not been left untouched by typical interpretation; it has been understood as the most striking symbol of sin, which is likewise almost imperceptible in its beginning, and is often unfelt by the sinner, till it ends in the total obduration of his mind — which may suffice as a fair specimen (comp. *Origen*. In Levit. Hom. VIII. 5—10; *Selecta* in Lev. pp. 167—169 ed. Lomm. vol. ix; *Michael*. Typ. Gottesgel. pp. 102—106).

It would be needless to point out the very late character of the ordinances of this section. The author indeed studiously and successfully portrays the time of the Hebrew wanderings. He makes God enjoin the commands upon Moses and Aaron; he entrusts the medical supervision of the people to Aaron and his sons; he bids the diseased repair to places "without the camp"; he speaks of the conquest of Canaan as still impending; and he retains, in general, an archaic colouring. But the spirit of these laws is entirely hierarchical. The priests are solely invested with the power of examining the symptoms of the disorder, of deciding on its character, watching its development, and pronouncing it healed or incurable. They superintend, guide, and almost control the community. They make their directing influence felt in every relation of life, both personal, social, and religious. Such supreme authority they

enjoyed only at very advanced periods, certainly not before the Babylonian exile; they could venture to claim it only after the return and the re-organisation of the colonists; although they had acquired the leisure for gathering medical knowledge, and the opportunity for applying it, from the time when the tribe of Levi, by its own misdeeds and offences, forfeited political power (see Comm. on Lev. I. p. 649; comp. *De Wette*, Beiträge, II. 278—281; *Gramb*. Rel. Id. I. 194 sqq.). The later Mishnah and the Talmudical writings extend indeed to all Israelites the permission of inspecting and treating the leper, and merely reserve to the Aaronites the formal or official declaration of the decision (*Mish. Neg.* III. 1; *Siphra* Neg. c. 1); but whether that permission was considered to be implied in the spirit of the law, or whether it was a designed democratic opposition to the hierarchical tendencies of the ordinance, cannot be discussed in this place (comp. *Geiger*, Jüd. Zeitschr. II. p. 49). Nor does the detail in the description and treatment of the disease bespeak a less advanced age; it is far too complicated and minute for the earlier stages of national existence; it was no doubt gradually accumulated by close and systematic scrutiny; and it is so obviously borrowed from actual experience, that Jewish interpreters, declining to explain these laws in their literal sense, or from their own observations, adhered exclusively to ancestral traditions and suggestions (comp. *Rashb.* on ver. 2). Rabbinical exegesis discovered in the words of our text 4, nay 16, 36, or 72 kinds of leprosy, of simple and

seen by the priest again. 8. And *if* the priest sees *it*, and, behold, the scab has spread in the skin, the priest shall pronounce him unclean: it *is* leprosy.

complex forms, which are fully described and amply discussed in the Talmudical treatise Negaim (comp. *Mishn. Neg.* I. 1, 2).

The two decisive symptoms pointed out in the text are—the hair, generally jet-black among the Hebrews, turning white on the affected spot, and the spot itself appearing to lie deeper than the rest of the skin; which two criteria have, by common experience been confirmed as constituting or foreboding real leprosy (comp. *Arist. Hist. An.* III. xi. 5). But one statement is not without difficulty. The suspected person is to be shut up twice for seven days; and if, after the lapse of this time, the spot has not spread, he is to be released as clean. Yet the progress and final crisis of leprous diseases are often so remarkably slow that years hardly produce a perceptible change; therefore, it has been conjectured, that the legislator meant to enjoin inspection and isolation of the patient for an indefinite succession of weeks, until a decided judgment can be formed on the nature of the evil: but this view is both against the tenour and the wording of the text, which prescribes no more than two examinations. We must, therefore, suppose that the sufferer was only brought to the priest when his illness had assumed a serious character, indeed not before it "had become in the skin of his flesh a plague of leprosy" (ver. 2): a public supervision spreading over a very protracted period would have been equally troublesome and superfluous; for as the superintendence mainly aimed at preventing contagion, it could, in

the earlier and harmless stages of the complaint, well be left to private control. Whether and in what degree contact with a person in those incipient stages engenders uncleanness, we are not informed, which is a surprising omission in so elaborate a code. Jewish tradition fixed the extent of the plague-spot at a square *gris hakalki* (כַּסְרִיס הַקָּלִקִּי), that is, half a Cilician bean, which kind was remarkable for its size, a *gris* covering the space of nine lentils, each supposed to hold four hairs; while it limited the raw flesh growing out of a leprous part (vers. 10, 14) to a lentil; it declared two white hairs sufficient to corroborate the suspicion, and illustrated the apparent depression of the shining spot by the analogy of sunny places which seem to be deeper than shady parts. — Comp. *Mishn. Neg.* VI. 1 sqq.; *Talm. Shevu.* 6^b; *Chull.* 63^a; and see in general *Mishn. Tract. Negaim*; *Kelim* I. 4; *Midd.* II. 5; *Maimon. Tumath zaraath* V. 16; on *Mishn. Neg.* XII. 5; and *Mor. Nev.* III. 47; *Arist. Probl.* X. 4, 5; *Celsus, Medic.* III. 25; V. 28 § 19; *Plin.* XXVI. 1; *Galen. De Tumorib. praet. Nat. c.* 14; *Prosp. Alpin.* l. I. cap. 14; *Lightfoot, Opp.* I. 511—514, 754, 755 (comp. p. 415), 678; *Olho, Lex. Rabb.* pp. 365—368; *Mead, Medica sacra*, pp. 11—24; *W. Hillary, Observations on the.... epidemical diseases in the island of Barbados*, pp. 322—351; *Hasse, Magaz. für Phil.* Fasc. I. p. 50; *Schilling, De Lepra*, p. 135; *Michaelis, Mos. R.* IV. §§ 208—210; *Orient. Bibl.* XVII. 1—37; *Reinhardt, Bibelkrankheiten*, I. 79—96; *Niebuhr, Beschhr. v. Arab.* pp. 135—138; *Larrey in Description de l'Egypt. état mod.* I. 492 sqq.; *Sonnini, Voyage*, II. 26, 75, 76; III.

117—126; *Seetzen*, Reisen, I. 125; II. 315; *Burckhardt*, Beduinen, p. 76; *Ersch und Gruber*, Encycl. I. vi. 451—453; *Winer*, Bibl. Realwörterb. I. 114—117; *Sommer*, Bibl. Abhandl. I. 214—218; *Hensler*, Abendländischer Aussatz im Mittelalter; *Friedreich*, Zur Bibel, I. 207—226; *Trusen*, Sitten der alten Hebräer, pp. 167—170; *Robinson*, Palest. I. 243; *D. Essinger*, Ueber den Zarsath des Moses (1843); *Hirsch*, Histor. Geogr. Pathologie (1860), I. 303 sqq.; *Haeuser*, Geschichte der epidem. Krankheiten (1865), pp. 92 sqq.; *Danilssen und Boeck*, Traité de la Spedalskhed; *Virchow*, Oncologie, II. 509 sqq.; *F. Steudener*, Beitr. zur Pathol. der Lepra mutilans (1867).

PHILOLOGICAL REMARKS. — The commands apply probably to the Hebrews only, and not, as Ebn Ezra infers from the general term עֹר (ver. 2), and from the contagious nature of leprosy, to the strangers also, who can hardly be included in the rites of purification, and still less in the sacrifices connected with them (XIV. 1 sqq.). As the affected part was to be estimated in reference to the general appearance of the body, especially the skin, it was called "the skin (עֹר) of the flesh", in which phrase the etymological sense of עָר "naked or hairless spot" (from עָר, comp. Exod. XXII. 26) is not to be urged, since the text speaks of the hair growing in that part, and also of "the skin of the head and beard" (vers. 29 sqq.). — It is not easy precisely to define the terms describing the first symptoms of leprosy diseases (רֹשֶׁת, רֹשֶׁת, and רֹשֶׁת, ver. 2). Jewish interpreters explain them simply as "names of disorders differing in their degree of whiteness" (Rashi; comp. *Talm.* Shevuoth 5^b). The original meaning of רֹשֶׁת (from עָר) *rising, swelling, or eminence* (Rashb. רֹשֶׁת) is too general to lead to identification, especially

as it was abandoned in the living language, and the word was used to denote any kind of affected spots, even such as are, or appear at least, deeper than the skin (vers. 3, 4). Onkelos translates the word in this sense by קַרְקַר or קַרְקַר (ver. 43) or קַרְקַר (ver. 10) *that which lies deep*; other ancient versions render vaguely *mark* (*Targ. Jer.* קַרְקַר, Syr. קַרְקַר, Saad. كَلَل), while *Targ. Jonath.* has more accurately קַרְקַר *prominent mark or tumor* (from קַרַּר to rise, to lift up), which seems to be the most exact explanation it is at present possible to give (*Michael. Finnen, Knob. Grind*); while other equivalents are unfounded hazards, as *Sept.* οὐλή (scarred wound), *Vulg.* cicatrix (in XIV. 56, though it uses the word for other Hebrew terms also, see *infra*), or diversus color or color (ver. 10); *Nishm. Neg. I. 1* "like an egg-shell" or "as white wool"; *Ebn Ezra* "like a burning" (as קַרְקַר and קַרְקַר in Isai. XXX. 27; Judg. XX. 38, 40). — The word קַרְקַר or קַרְקַר (from קַרַּר to pour out, to fall off) appears to be the *scurf* or *scab* that "peels off"; so *Targ. Jon.* קַרְקַר (from קַרַּר to peel off), Syr. קַרְקַר, *Targ. Jerus.* קַרְקַר or קַרְקַר קַרְקַר (i. e. scurf that clings or adheres to the body), while Onkelos, on the contrary, renders קַרְקַר or קַרְקַר ("something that is added" to the skin, ulcer or blister, perhaps from קַרַּר to take up, together; comp. קַרַּר); and *Ebn Ezra* explains "an evil that settles in one place"; the *Sept.* has inaccurately σπασίαις (sc. οὐλή) or σπασίαις; *Vulg.* pustula, or scabies, or erumpentes papulae (XIV. 56); *Rashb.*, adopting older Talmudical explanations, takes it vaguely as "something connected with קַרַּר or קַרַּר", or merely a modified form of these symptoms (קַרַּר קַרַּר; comp. 1 Sam. II. 36; *Talm. Shevu. 5^b*; *Neg. 71^a*, קַרַּר קַרַּר קַרַּר קַרַּר); *Rashi* as "the name of some clean disorder";

and others "the falling off of hairs" (comp. מִשְׁחָה ; Michael, Gesen.). — Lastly, מִשְׁחָה , expressing no more than the notion of *brightness* implied in the Shemitic root מִשְׁח , seems to be a *bright spot*; so Targ. Onkel. מִשְׁחָה or מִשְׁחָהּ ; Jon. and Jer. מִשְׁחָה or מִשְׁחָהּ (comp. מִשְׁחָה ver. 39); Syr. ܡܫܚܐ , similarly Ebn Ezra, Rashb., a. o.; Sept. τηλαυγής sc. ὀδλή far-shining scar, or τηλαύγμα (ver. 23; comp. *Suid.* s. v. ἀρχή $\text{λέπας ἐν τῇ τοῦ σώματος ἐπιφανείῃ}$, or τὸ αὐγάζον (ver. 28), or αὐγασμα (vers. 39, 56); Vulg. *lucens quippiam*, or candor (vers. 28, 38), or albor (ver. 39). The "brightness" was qualified by Hebrew tradition to mean "a shining spot white as chalk" (Jon. מִשְׁחָה מִשְׁחָהּ), esp. "the chalk of the Temple" ($\text{כֹּחַל הַמִּקְדָּשׁ}$), or "as dazzling snow" ($\text{כְּלֹחַל שֶׁנֶּה$; *Mishn.* Neg. I. 1; *Talm.* Shevu. 5, 6): the rendering *spots* (Rashi מַשְׁחָהּ and מִשְׁחָהּ or מִשְׁחָהּ מִשְׁחָהּ) omits the chief attribute; and that of λευκή (*Jahn*, *Archaeol.* I. § 215) assumes in the word the name of a disease, whereas it denotes merely a symptom. This shining white spot (מַשְׁחָהּ) is, according to the *Mishnah* (Neg. II. 1), in a perfectly white man (אִישׁ כָּחֹל , a German) darker than his skin, whereas even a darker spot on the skin of a negro appears of shining white; but as the Jews are neither like the one nor the other, but stand in the midst between them, their complexion resembling "box-wood" (אֲדָמָה), a middle colour of the affected spot is generally to be taken as a test. — These three unusual appearances *grow*, or are developed, *into* the plague of leprosy, מַשְׁחָהּ , so that the particle $\text{לִּ$ has its proper force. — The etymology of מַשְׁחָהּ , only used for white leprosy in men (Arab. مِشْحَة), the black leprosy or elephantiasis being מַשְׁחָהּ , is uncertain; it may be traceable to מַשַּׁח cognate with מַשַּׁח to scrape

— a *scabby disease* (Gesen.) —; or to the Arab. مِشْحَة *scourge*, sc. of God, from مِشַּח to strike down (*Michael*. Orient. Bibl. XVII. 13; Typ. Gottesg. p. 101; *Virchow*, *Specielle Pathol.* III. 410 *sqq.*; see also *Fürst*, *Handwörterb.* II. 290); or, as is hardly probable, to מִשַּׁח *to break out*, an *eruption* (Knob.). — מַשְׁחָהּ , though usually signifying plague or *disease*, is by way of metonymy, employed for *dis-eased part* or *spot* (vers. 3, 30—32, etc.), or for the affected *person* (vers. 4, 12, 13, etc.) or *garment* (vers. 50, 55); in a similar manner, מַשְׁחָהּ is both *scab* (vers. 30 *sqq.*) and a *scabby person* (ver. 33); see also *Augustin*. *Quaest.* XLI in Lev. — The passive form מִשְׁחָהּ (ver. 2) may imply, as Ebn Ezra supposes, that the person who exhibits the symptoms alluded to, is to be brought to the priest, whether he be willing or not, and that any one who notices the symptoms is bound to take active steps in the matter: it has above been pointed out that it was certainly in the interest of such a person as well as of those who associated with him, to bring the case to an issue. — In ver. 4, the Sept. adds after לִּבְנֵי הָאִישׁ $\text{כִּי אִשׁוֹ הָיָה$ $\text{כִּי אִשׁוֹ הָיָה$ כִּי אִשׁוֹ הָיָה (as in vers. 6, 21 *sqq.* כִּי אִשׁוֹ הָיָה). — The sense of the words מַשְׁחָהּ מַשְׁחָהּ (ver. 5) cannot be doubtful — "the plague has stood still in its appearance", that is, has remained the same; מַשְׁחָהּ is, therefore, synonymous with מַשְׁחָהּ (comp. vers. 3, 4); so Onk., Jon., Syr. (ܡܫܚܐ ܡܫܚܐ), Rashi, Ebn Ezra, a. o. (comp. ver. 55; Num. XI. 7 with reference to the manna מַשְׁחָהּ מַשְׁחָהּ); the sense is feeble if the suffix in מַשְׁחָהּ be referred to the priest — "the plague stood still before his eyes" (Sept. $\text{μέλει ἐναντίον αὐτοῦ}$, and in ver. 37 $\text{ἐνδύον αὐτοῦ} \dots \text{ἐν ἰδέῃ αὐτοῦ}$; Keil "in seinen Augen", that is, in his view or opinion). — The plague מַשְׁחָהּ (ver. 6) has lost its bright

9. If the plague of leprosy is in a man, he shall be brought to the priest; 10. And the priest shall see *him*: and, behold, *if* a white rising is in the skin, and it has turned the hair white, and *there is* quick raw flesh in the rising; 11. It *is* an old leprosy in the skin of his flesh, and the priest shall pronounce him unclean; he shall not shut him up, for he is unclean. 12. But if the leprosy breaks out upon the skin, and the leprosy covers all the skin of *him that has* the plague, from his head even to his feet, wheresoever the priest looks; 13. And if the priest looks, and, behold, the leprosy has covered all his flesh, he shall pronounce *him* clean *that has* the plague: if all is turned white, he *is* clean. 14. But from the day that raw

or striking aspect or its resplendent whiteness, i. e. *has become pale* or *dim* (Sept. ἀπαρ, Rashi on ver. 39). Onk., however, has נֶחֱמָה and Jon. נֶחֱמָה, it has become *darker*; so Vulg. obscurior (ver. 56) or subobscurus (vers. 21, 26, 39), yet also non satis clarus (ver. 28), and the Engl. Vers. "somewhat dark" or "darkish white" (ver. 39); but entirely unfounded is Ebn Ezra's interpretation who, without any proof, considers נֶחֱמָה to be identical with נֶחֱמָה and explains—"if the plague has neither spread in the old place, nor has extended to a healthy part." — נֶחֱמָה (ver. 7) is "for his purification", that is, for the purpose of being declared clean; not *after* his purification, which rendering is indeed admitted by the preposition לְ (comp. Num. I. 1; 1 Ki. III. 18; etc.), but is less probable, since the sense of *after* is immediately before expressed by אַחֲרָיִם.

9—17. In leprous affections showing themselves directly in the skin without premonitory plague-spots, another criterion, in addition to the white colour of the hair, was deemed decisive — the appearance of red raw flesh, which seemed to in-

dicate a complete deterioration of the constitution, and to point to deep-rooted disorders. Its presence made the patient at once unclean, and compelled him to live in seclusion. But a white eruption covering the whole body was looked upon as a favourable contingency; it was considered to bring out all the unhealthy matter that vitiates the system, and to secure renewed vigour. Yet if, at some later period, raw flesh appeared, the distemper was regarded as possessing a malignant character, which ceased only when the flesh became again white.

PHILOLOGICAL REMARKS. — The verb נֶחֱמָה (fem., ver. 9) accords with the dependent noun נֶחֱמָה, not with the principal one נֶחֱמָה, because the former contains the chief notion; see Gramm. § 77. 10. — Targ. Jon. adds (in ver. 10) after נֶחֱמָה "like white wool" (נֶחֱמָה), and then continues "and if it (the rising) has turned the hair into a white colour like the shell of an egg" (comp. Mishn. Neg. I. 1; see *supra*). — The term נֶחֱמָה (ver. 10) seems to have caused needless trouble; it is simply "the growth of raw flesh"; for as living and growing may be viewed as correlative notions, נֶחֱמָה

flesh appears in him, he shall be unclean. 15. And if the priest sees the raw flesh, he shall pronounce him to be unclean: the raw flesh *is* unclean, it *is* leprosy. 16. Yet if the raw flesh changes again and becomes white, he shall go to the priest; 17. And if the priest sees him, and, behold, *the part affected with* the plague has turned to white, the priest shall pronounce *him* clean *that has* the plague; he *is* clean.

18. And if there is on the skin of the body a boil and is healed, 19. And if in the place of the boil there is a white rising or a bright spot of white-reddish colour, it shall be shown to the priest; 20. And if the priest looks *at it*, and, behold, its appearance *is* lower than the *other* skin, and the hair thereof is turned

in reference to flesh is growth, and בשר ירוק the raw or growing flesh (comp. 1 Sam. II. 15; Rashb. "not like boiled, but like raw meat", since the flesh within the plague-spot gets larger); Engl. Vers. not inaptly quick raw flesh; Luther simply rohes Fleisch. Hence בשר ירוק is not merely the explanation of מורא (Ebn Ezra), nor is מורא only the spot which contains בשר ירוק (*Simon*, Lex. s. v.), which redundancies are open to well-founded objections (comp. Rosenm. in loc.); the Aramaic translators render that word inaccurately by "sign" or "mark" (Onk., Jon. אשמה , Syr. אשמה), and so later expositors (as Rosenm., Gesen., a. o.); while Rashi explains it strangely by שבת שבת (sainement) recovery (analogous to Gen. XLV. 5; 2 Chr. XIV. 12), and the Sept. translates as if מורא were contracted from קדש and מורא , $\text{καὶ ἀπὸ τοῦ ἁγίου τοῦ θεοῦ ἐκφράζει$. — After יאמר (in ver. 11) Jon. inserts ואומר "he shall declare him affected" with leprosy (מורא to belong to a class or order, hence ver. 51 מורא leprosy to be held utterly unclean); and he adds after עין הדין (in ver. 12) "and they (the eyes of the priest) are ready to declare clean or

unclean." — The words לכל מראה עין (ver. 12), which mean simply "whosoever the priest looks", have by Jewish tradition been declared to imply that the examination of the suspected leper by the priest is not to be attempted at such hours of the day nor in such places which do not afford a proper light, neither early in the morning nor at dusk, neither in-doors, nor on a cloudy day, nor in the glare of noon, but in the 4th or 5th, the 8th or 9th hour; nor by a one-eyed or weak-sighted priest (see *Mishn. Neg.* II. 2, 3). On the mode of inspection, the chief object of which was to obtain a good view of all the hairy parts, see the rules given *ibid.* 4. — The two verbs $\text{היה$. . . היה (ver. 16) form one notion "if it is changed again" (comp. Hos. II. 11, אשך ואקדש ; see Gramm. § 103. 2), היה being added by way of qualification — namely into white; Vulg. quod si rursum versa fuerit in alborum: there is no necessity for supposing that היה and היה have two different subjects, the former the flesh, and the latter the patient.

18—28. Leprous disorders originating, as they often do, in the

white, the priest shall pronounce him unclean: it *is* a plague of leprosy; it has broken out of the boil. 21. But if the priest looks at it, and, behold, *there are* no white hairs therein, and *if* it is not lower than the *other* skin, and is pale, the priest shall shut him up seven days: 22. And if it spreads on the skin, the priest shall pronounce him unclean; it *is* a plague of leprosy. 23. But if the bright spot stays in its place, *and* spreads not, it *is* a scar of the boil, and the priest shall pronounce him clean.

24. Or if there is on the skin of the body a hot burning, and the quick *flesh* of the burning becomes a white-bright spot *of a* reddish or white *colour*; 25. The priest shall look at it, and, behold, *if* the hair on the bright spot is turned white, and its appearance *is* deeper

place of healed boils or of a burning caused by hot coals or ashes, and manifesting themselves in white or reddish-white elevations, were treated more leniently than the preceding cases, in so far that if the hair had not turned white, and the spot had assumed no deeper appearance than the rest of the skin — which were the two critical symptoms —, they were looked upon with suspicion for one week only, and not for two: if after the first seclusion, the anomaly had not spread, the patient was at once pronounced clean, the eruption being considered merely as a scar-like remnant of the boil. — “The mixture of red and white”, observes the Mishnah (Neg. I. 2), “has the appearance of red wine poured into water, and is either of a palish white or somewhat darker” (comp. *ibid.* III. 4; IX. 1).

PHILOLOGICAL REMARKS. — On the construction *וְהָיָה כִּי יִשָּׁה* (ver. 18), the principal notion standing first in an absolute sense, to be, in the proper place, referred to by the personal pronoun (אֲנִי), which is again qualified by *וְהָיָה* (“and the flesh — if there is on it, namely its skin”, a

boil), see Gramm. § 75. 5; comp. also ver. 24. — *וְהָיָה* arises, according to the Mishnah (Neg. IX. 1), from a blow with wood or a stone, or from scalding, as with the hot water of Tiberias, in contradistinction to *וְהָיָה*, which is caused by actual burning whether with fire or hot ashes; the word (derived from *חַם* to be hot or inflamed) implies the meaning of heat or inflammation, and is, therefore, no doubt *boil* or *ulcer* (Sept. *ἔλκος*, Vulg. *ulcus*). The symptomatic spots are occasionally “white reddish” (*רַחֵם רַחֵם*, ver. 19), though more usually white (so observes Schilling, *De Lepre*, p. 7, “coloris mutatio duplex est, nam vel rubrae nascuntur maculae in pallidum vergentes, vel albae ad colorem flavum, lividum aut rubrum tendentes”); and the same difference happens in the change of the hair on those spots (“in priori casu pili qui in parte adfecta sunt, subflavi aut subrubri apparent, in posteriori casu albi conspiciuntur”; comp. vers. 30, 32, 36): the words *רַחֵם רַחֵם* are, therefore, not to be translated “white or reddish.” — The Sept. adds at the end of ver. 22, *ἐν τῷ ἔλκει ἐξήθησεν* (*רַחֵם וְהָיָה*) from ver. 21; similarly

than the *other* skin; it *is* leprosy, it has broken out of the burning; and the priest shall pronounce him unclean: it *is* the plague of leprosy. 26. But if the priest looks at it, and behold, the hair on the bright spot is not white, and it *is* not lower than the *other* skin, and it *is* pale, the priest shall shut him up seven days. 27. And the priest shall look at him on the seventh day: if it spreads in the skin, the priest shall pronounce him unclean; it *is* the plague of leprosy. 28. And if the bright spot stays in its place, *and* spreads not in the skin, and *is* pale, it *is* a rising of the burning, and the priest shall pronounce him clean: for it *is* a scar of the burning.

29. If a man or woman has a plague upon the head or the beard, 30. The priest shall see the plague; and, behold, *if* its appearance *is* deeper than the skin, *and there is* in it yellow thin hair, the priest shall pronounce him unclean; it *is* a dry scall, it *is* leprosy upon the head or

in ver. 27 (comp. ver. 25). — בַּמָּקוֹם (ver. 23) "in its place", on the same spot (comp. Ex. X. 23). — בַּמָּקוֹם applied to בַּמָּקוֹם and to בַּמָּקוֹם (vers. 23, 28), both of which are expressive of burning, has no doubt a similar meaning; בַּמָּקוֹם , kindred to בָּרָב , is *to be scorched* or *burnt* (Ezek. XXI. 3), and the adjective בָּרָב is *burning* or *consuming* (Prov. XVI. 27); בַּמָּקוֹם is, therefore, the *burning of the boil*, the effect of the healed wound, which subsequently shows itself in a white swelling or spot apt to produce inflammation; Ebn Ezra explains בַּמָּקוֹם בָּרָב , and Rashi "contraction of the skin through heat"; Gesenius derives the word from בָּרָב as equivalent to בָּרָב to scratch, to be scabby, and renders *scab*, but that meaning of בָּרָב is doubtful; others understand *scar* or *mark* left by the boil on the skin, Sept. ὀλὴ or χαρὰκτῆρ ; Vulg. cicatrix, Onk. ܐܦܝܩܐ , Syr. ܐܦܝܩܐ , Jon. ܐܦܝܩܐ (scar; comp. *Mishn. Neg.* IX. 2, and *Levy*, Chald. Wörterb. II. 329); Rashi also בַּמָּקוֹם בָּרָב *rétrécisse-*

ment (scar); but this sense, apparently suggested by probability, is not supported by etymology; and the same applies to the explanation of the Mishnah (l. c.), that the wound is called בָּרָב , if it is covered with a crust of the thickness of a garlick shell ($\text{כֶּלֶם כְּקֶלֶחַ שֶׁל חֹמֶת}$). — The meaning of בַּמָּקוֹם בָּרָב בַּמָּקוֹם (ver. 24) is clear from the remarks above made on בַּמָּקוֹם (ver. 10) — lit. "if the growth of the burning becomes a white bright spot reddish or white", that is, if the raw flesh that springs up and grows in the place of the burning appears brightly reddish or white; Sept. incorrectly, $\text{καὶ γίνηται} \dots \text{τὸ ὀχρεῖον τοῦ κατακαύματος ἀσφῶδες καὶ}$.

29—37. Leprosy not unusually attacks first hairy parts, as the head and beard, and in such cases changes both the quality and the colour of the hair, which becomes thin and yellowish. This symptom, like the gradual extension of the plague-spots, was, under all circumstances, deemed fatal, not only if it showed itself after

the beard. 31. And if the priest looks at the plague of the scall, and, behold, its appearance *is* not deeper than the *other* skin, but *there is* no black hair in it; the priest shall shut up *him that has* the plague of the scall seven days; 32. And on the seventh day, the priest shall look at the plague, and, behold, *if* the scall has not spread, and there is no yellow hair on it, and the appearance of the scall is not deeper than the skin; 33. He shall be shaven, but the scall shall not be shaven; and the priest shall shut up *him that has* the scall seven days again; 34. And on the seventh day, the priest shall look at the scall: and, behold, *if* the scall has not spread in the skin, nor *is* in appearance deeper than the skin, the priest shall pronounce him clean; and he shall wash his clothes and be clean. 35. But if the scall spreads in the skin after his having been pronounced clean, 36. The priest shall look at it; and behold, *if* the scall

the first and second week of isolation, but if it re-appeared at a later period, and even after cleanness had been pronounced by the priest; however, spreading of the spot was considered decisive, even irrespective of the change of hair (comp. *Mishn. Neg.* III. 5; IX. 1 *sqq.*). If after the conclusion of the second week, the disease had not advanced and was declared harmless, washing of garments sufficed to restore levitical purity: if bathing had been required, as some suppose, the text would not have failed to enjoin it (see p. 165).

PHILOLOGICAL REMARKS. — זָהָב (ver. 30) prop. *shining*, then yellow, prob. the colour of gold (זָהָב, comp. זָהָב, זָהָב, זָהָב, etc.), Rashi (on ver. 37) זָהָב *or pale*, Kimchi זָהָב לְבָנָה, the colour being like that of the new plumage of young pigeons after they have lost their first feathers (comp. *Talm. Chull.* 22^b; *Mishn. Midd.* II. 3). — פָּצַח, from פָּחַ, probably in the sense of *breaking* (Isai. V. 27; Eccl. IV. 12; etc.), is a disorder

of sores or wounds that *break* (comp. *supra* p. 219; Job VII. 5), a *scall*, Sept. θραύματα (breaking), Saad. كَلَف pustules; Syr. vaguely מַדְרַח (plague); Vulg. macula or percussura (in XIV. 54); others suppose פָּצַח to refer to the "falling out" of the hair in consequence of the disease (like מָצַח, p. 225; so Rashb., Gesen., a. o.), or attribute to it the sense of tearing and scratching (so Knobel, who compares זָהָב, and זָהָב, פָּצַח and פָּצַח or פָּצַח, scabies and scabers, etc.). — It is true that the reading זָהָב (in ver. 31) is rather strange, and that we almost expect זָהָב (comp. ver. 32), which is indeed expressed by the Sept. (θρίξ ξανθίζουσα); yet it would be unsafe to declare זָהָב "a mistake either of the author or of the copyist"; the writer possibly alludes to an intermediate and undecided stage of the disease, in which the hair turns temporarily yellow, to resume its usual colour at the return of health: therefore the presence of yellow hair at the first inspection

has spread in the skin, the priest shall not seek for yellow hair; he *is* unclean. 37. But if the appearance of the scall has remained the same, and *if* black hair has grown up therein, the scall is healed; he *is* clean, and the priest shall pronounce him clean.

38. And if a man or a woman has in the skin of their flesh bright spots — white bright spots, 39. The priest shall look; and, behold, *if* the bright spots in the skin of their flesh *are* palish white, it *is* a white eruption *that* has broken out in the skin; he *is* clean.

40. And if a man loses the hair of his head, he *is* bald-headed; *yet* he *is* clean. 41. And if he loses the hair of his head towards his face, he *is* forehead-

does not necessarily involve its presence at the second, though it is a questionable symptom demanding the priest's continued attention. — On the large λ in מְרִירָה (ver. 33) see *supra* on XI. 42, p. 183. — Onk. and Jon. limit the shaving to "the parts surrounding the scall" (מְרִירָה or מְרִירָה), which is evidently against the author's meaning; while the *Mishnah* (Neg. X. 5) explains, not less questionably, "the hair is shaved off all around the scall, yet two hairs are left on each side, to enable the priest to judge whether the spot is spreading or not." The Sept. adds after מְרִירָה (in ver. 34) μετὰ τὸ ξυρ-θῆναι αὐτόν (comp. vers. 7, 36, 55, 56).

36, 39. Modern testimonies confirm the harmless nature of that palish white eruption or tetter which in the East is still termed *ḥalak* (פֶּחַח, 36). The spots are very little higher than the skin; they appear usually on the neck and face, but rarely on the hands or on the hairy parts of the head; they spread for some time, and then vanish of themselves, without having caused much inconvenience or apprehension. Orientals believe that this slight affection is often occasioned by sudden and excessive

joy, never by care or depression; and they apply sulphur as a remedy (comp. *Niebuhr*, *Beschr. von Arab.* pp. 135, 137, 138).

PHILOLOGICAL REMARKS. — The term מְרִירָה in the text sufficiently explained (comp. Syr. *prax* to be white, Chald. *prā* to shine); the Sept. renders δλωρός (akin to *albus*), and Rashi interprets "like the white that shines in the flesh of a red man (ר' שר, rosso)". There exists, therefore, no uncertainty on the subject.

40—44. Baldness was doubtless looked upon by the Hebrews, as by other eastern nations proud of a luxuriant growth of hair, as a disgrace, and often as a Divine punishment (comp. 2 Ki. II. 23; Isai. III. 17; Jerem. XLVIII. 37); but it is in no part of the Bible distinctly connected with leprosy; in our text it is even in itself, and if unattended by other symptoms, declared to exercise no influence upon levitical purity, whether it be baldness on the crown of the head, or at the temples and the forehead. Yet it may either be the herald or the companion of that disease. The leper's hair, both of the head and beard, gradually becomes thinner, splits at the

bald; *yet is* he clean. 42. But if there is on the bald crown or bald forehead, a white reddish sore, it *is* leprosy springing up on his bald pate or on his bald forehead. 43. Then the priest shall look at it; and, behold, *if there is* a white reddish rising of the sore on his bald crown or on his bald forehead, in appearance like the leprosy on the skin of the flesh; 44. He *is* a leprous man, he *is* unclean; unclean shall the priest pronounce him; his plague *is* on his head.

45. And the leper in whom the plague *is*, his clothes shall be rent, and his head shall be bare, and he shall

points, and shows at the roots small pustules; often the bare parts of the head are covered with a reddish-white eruption resembling that which arises in the place of healed boils (ver. 19); and these were proofs of the presence of leprosy on the head, which was socially and levitically treated like any other form of the same disorder. According to Jewish tradition, it was judged by two usual symptoms—the growth of raw flesh, and extension of the eruption, within two weeks; or extension beyond this time if, after the declaration of cleanness, either of the symptoms re-appears (comp. *Mish. Neg.* III. 6).

PHILOLOGICAL REMARKS. — עָרֵב is properly to make smooth or bare (comp. Syr. ܥܪܒ), hence in Niph. to be made or to become bald; Sept. $\mu\alpha\delta\acute{\alpha}\nu$ (comp. *Aristoph.* *Plut.* 266). — A person losing his hair from the crown of his head downward towards the neck is עָרֵב , a person losing it "towards his face" (עָרֵב עָרֵב), that is, in the front part, at the temples or the forehead, is עָרֵב עָרֵב ; hence עָרֵב עָרֵב (like עָרֵב עָרֵב) is baldness on the crown of the head, עָרֵב עָרֵב baldness on the front part; and metaphorically, the former is a threadbare spot on the nether side of any stuff or texture, the latter a threadbare spot on the outer side

(ver. 55, see notes in loc.); the Sept. renders the two adjectives $\phi\alpha\lambda\alpha\chi\rho\acute{o}\varsigma$ and $\delta\nu\alpha\phi\delta\lambda\alpha\nu\tau\omicron\varsigma$, the Vulg. *calvus* and *recalvaster*; Onk. expresses the latter by עָרֵב (Syr. ܥܪܒ to deprive of hair), Jon. ܥܪܒܐ , and Saad. عرب . According to the Mishnah (*Neg.* X. 10), עָרֵב is baldness from the crown downwards to the first vertebra of the neck (עָרֵב עָרֵב), and עָרֵב עָרֵב from the crown forward to the extreme hair in front; and in both cases it was supposed to arise from eating, or putting on the head, anything that prevents the growth of hair, or from a wound which has the same effect. Arabic poets also distinguish between "noble baldness" (عبري) and "servile baldness" (عبري), the former being frequently occasioned by the wearing of the helmet. The meaning attributed to עָרֵב "one that has boils, therefore originally a leper" (*Michael.* *Mos.* R. IV. 180), is more than doubtful, the etymological sense of עָרֵב being *to be smooth*. — The two words עָרֵב עָרֵב (ver. 43) form a compound notion "white-reddish"; the Sept. inserts between them, unnecessarily, עָרֵב , and the Syr. ܥܪܒ .

45, 46. The leper, looked upon as stricken by the hand of God, was in every respect to appear as the mourner did in the time of his bereave-

47. And if a garment has the plague of leprosy, *whether it be* a woollen garment or a linen garment; 48. Whether *it be* cloth or stuff of linen or of wool; whether in a skin or in anything made of skin; 49. And if the plague is greenish or reddish in the garment, or in the skin, or in the cloth, or in the stuff, or in any utensil of skin; *it is* a plague of leprosy, and shall be shown to the priest. 50. And the priest shall look at the plague, and shut up *that which has* the plague seven days. 51. And he shall look at the plague on

former "do not defile yourselves (לֹא תִטְמָאוּ), do not defile yourselves, shall be the cry;" the latter, "a herald shall call out, 'Keep aloof, aloof from the unclean!'" and after הַזֶּה יִסָּמַח Jon. adds "nor shall he approach the side of his wife".

47—59. "Leprosy of garments," a term peculiar to the Bible, like "leprosy of houses", must imply a disorder analogous to leprosy of persons, since it is expressed by the identical words (רַעֲרָעָה). The simplest and most obvious explanation seems to be the safest, namely, that it denotes an infectious condition of clothes and stuffs, caused by contact with leprous matter, and therefore subject to changes and effects similar to those of leprosy itself. The leprous substance of wounds and boils is so strong, that it corrodes and injures all kinds of textures and clothes; the marks it produces not only resist repeated washing, but spread by the process (comp. *Meat*, *Med. sacr.* pp. 14 sqq.). Wool and linen are here, as elsewhere, named as the sole materials of garments (comp. Deut. XXII. 11; Hos. II. 7, 11; Prov. XXXI. 13); for cotton seems to have been long unknown to the Hebrews, as it was to the Greeks (*Foss*, *Mythol. Briefe*, III. 264, 265). Now, any manufacture made of wool or linen, or of skins, is liable to be impregnated with the obnoxious mat-

ter. Greenish or reddish spots appear, which, often extend and prove so malignant that the manufacture cannot be saved. Therefore, the treatment of leprous garments and leprous persons was strikingly similar (see Summary).

It seems hardly necessary to seek for another interpretation; certainly none that has been proposed is more acceptable. It has been conjectured, that the diseases of men were, by a figure of speech, applied to bad conditions of things; as in Egypt and Palestine certain disorders of trees, occasioned by the hurtful activity of insects, are still called leprosy, and the Swiss speak of a "cancer" in buildings (comp. *Maim. De Lepra* XII. 13; XVI. 9). But the Biblical parallels are, in both cases, so distinct and so specific, that the supposition of a vague metaphor appears to be out of the question; and if similar terms are used in modern languages, they have commonly been borrowed from our passage. Or it has been contended (by Michaelis, who is followed by others), that the law refers to garments made of "dead wool" and to objects made of "dead skins", that is, to wool and skins of sheep that have not been slaughtered, but have died of some lingering disease; such wool and skins are coarse and useless, and easily infected by

the seventh day: if the plague has spread in the garment, or in the cloth, or in the stuff, or in the skin, whatever object is made of skin; the plague *is* malignant leprosy; it *is* unclean. 52. And they shall burn the garment, or the cloth, or the stuff of wool or linen, or any utensil of skin wherein the plague is; for it *is* malignant leprosy; it shall be burnt in fire. 53. But if the priest looks, and, behold, the plague has not spread in the garment, whether in the cloth, or in the stuff, or in any utensil of skin; 54. The priest shall command that

vermin; and the garments and objects manufactured from them are dangerous to health, and soon become threadbare, and full of cavities and holes (comp. *Mich. Mos. B. IV. § 211*; *Rosenm. Schol. ad ver. 47*). But it is difficult to see how such "dead wool" could at all be treated as analogous to leprosy, to which it has not the remotest resemblance; it has never been proved that such wool takes a greenish or reddish colour; and supposing even that the explanation were plausible with respect to woollen stuffs, it does not account for leprosy in those of linen. Others understand "mouldy stains" which, produced by dampness and want of air, assume various colours, extend, and gradually destroy the texture, which at last crumbles away like tinder; they are particularly marked in paper, linen, and leather, in which they form considerable depressions, and take whitish, greenish, or reddish shades, like the minute cryptogamic plants which spring up in the affected spots (*Sommer, Abhandl. I. 224*; *Keil, Lev. p. 93*). Or the evil has been traced to certain atmospheric vapours which, settling in the clothes, produce stains that look and smell like leprosy (*Schnurrer, Chron. der Seuchen, I. 191*); or to microscopic insects which consume the wool, and leave suspicious marks (*Calmet,*

Jahn); or it has been declared to be no natural, but a miraculous affliction, sent by God in ancient times to punish or to warn the Israelites (comp. f. i. *Pfeiffer, Dub. Vex. pp. 295—297*): all which hazards prove the perplexity which the subject has, we believe unnecessarily, created.

PHILOLOGICAL REMARKS. — The generic notion (in vers. 47, 48), of which the remainder are specifications, is *garment*, that is, any material suitable and ready for wear; hence the much disputed words *וְהָיָה* and *וְהָיָה* (vers. 48, 51, etc.), which are co-ordinate with *וְהָיָה* and *וְהָיָה*, can only denote two kinds of *stuff's* or *textures*, which signification is fully compatible with their etymology (Syr. *וְהָיָה* to weave, Ar. *سَتَى* IV to fix the warp in the loom; and *וְהָיָה* in Chald. and Syr. to weave, properly to mix, to plait, to braid), and may have reference to the colours — *וְהָיָה* striped in the direction of the warp, *וְהָיָה* with mixed colours or many-coloured (*Houbig. vestis texturee diversae*; i. e. quae constat filis spissioribus et tenuioribus; *De Wette* simply *am Tuche oder am Zeuge*). It seems impossible to take these terms here in their more usual sense of *warp* and *woof* (Sept. *ἐν στρίμων ἢ ἐν χροῶν*, Vulg. in stamine atque subtegmine, Luth., Engl. Vers., *Michael, Gesen., a. o.*); it is difficult

they wash that wherein the plague *is*, and he shall shut it up seven days again; 55. And if the priest looks at the plague after it has been washed, and, behold, the plague has not changed its appearance, though the plague has not spread; it *is* unclean; thou shalt burn it in fire; it has eaten downward in the bare place of its inner or its outer side. 56. And if the priest looks, and, behold, the plague *is* pale after it has been washed, he shall tear it out of the garment, or out of the skin, or out of the cloth, or out of the stuff: 57. And if it appears

to perceive how in the same piece the threads forming the warp should be affected, yet not those forming the woof, and *vice versa* (for the assumption of Michaelis—Mos. B. IV. 185 — that the one are made of sound, the others of the bad wool of diseased animals, is entirely gratuitous); and it is even more difficult to show, how it is possible to remove the one without disturbing the others; this objection is surely not met by the assertion, that not the stuffs but the threads of which they are to be manufactured, are meant, so that the threads destined for the warp may be kept distinct from those destined for the woof, and the former may be diseased and removed without the latter (Gasset, Rosenm., Keil); for our passage proves that the manufactured textures, and not the materials, are meant; that assertion, moreover, necessitates the translation of ערערב (ver. 48) by “or of linen” (Sept. ἢ ἐν τοῖς λινεῖς), whereas the particle ל simply expresses the genitive (comp. Gramm. § 86. 2. g; Basili ערערב ל; in ver. 53 stands ערערב instead of ערערב). — The sense of ערערב ערערב (vers. 51 sqq.) is as unmistakable as its *literal* meaning is doubtful; it evidently signifies leprosy deeply seated and abiding (Sept. ἐμμενος; Vulg. perseverans), dangerous and malignant (Jon. ערערב); but it can hardly be ascertained whether

ערערב is traceable to ער in the sense of ער, causing *bitter* pain (Rashi ערערב *pointe* stinging; Syr. ערערב; comp. Ezek. XXVIII. 24, ערערב a thorn causing pain), or to ערערב curse, execration (Mal. II. 2; Prov. III. 33), *curse-laden* leprosy (Rashb., Nachman.), or to the Arabic root عر to become raw again like a wound (comp. Boch. Hieroz. I. II. 45, p. 493, *lepra exasperata*, idest, *aspera et acerba*), or to ער to make bare, “a consuming leprosy” (Knob. Onkel. ערערב “causing to fall off” or “wasting away”); however, the first named derivation has the greatest probability (comp. in Ezek. I. c. the parallelism of ערערב ערערב and ערערב ערערב). — On the Hothpael ערערב (ver. 55), instead of ערערב, see Gramm. § XLVIII. 18; and on the construction of this passive form with ער *ibid.* § 76. 2. — ערערב is no doubt *depression*, *cavity* (comp. ערערב pit), Targ. Jon. ערערב ערערב (deep-lying leprosy), Syr. ערערב, Rashi ערערב ערערב or ערערב ערערב, Menah. ben Saruk ערערב ערערב; the root is in Syr. to dig or to excavate, in the Talm. to diminish, whence Ebn Ezra explains the noun by ערערב, and Rashbam by ערערב ערערב; Onk. renders inaccurately ערערב *rounding*, prop. breaking or rupture, while he translates ערערב (in XIV. 37) by ערערב or ערערב *depressions* (see notes in loc.). — The meaning which the words ערערב and

still in the garment, or in the cloth, or in the stuff, or in any utensil of skin, it is a spreading *plague*: thou shalt burn that wherein the plague is with fire. 58. And the garment, or the cloth, or the stuff, or any utensil of skin, which thou wastest, if the plague departs from them, it shall be washed a second time, and shall *then* be clean.

59. This is the law of the plague of leprosy in a garment of wool or linen, or in cloth, or stuff, or any utensil of skin, to pronounce it clean, or to pronounce it unclean.

רַחֲמֵי הָאֵשׁ have in this place (ver. 55), viz. threadbare spots on the wrong and the right side of textures, has been explained above (on vers. 40—44, p. 233; those terms have been similarly understood by Targ. Jon. אֲרַחְמֵי הָאֵשׁ i. e. on the smooth right side or on the rough and feltlike wrong side; comp. *Fleischer* in Levy's Chald. Wörterb. I. 429; comp. also *Talm.* Nidd. 19^a, Saad., Ebn Ezr., etc.). But others translate and interpret freely and conjecturally; thus Onk.

אֲרַחְמֵי הָאֵשׁ i. e. in its threadbare or in its new part, and so Rashi, but this acceptance severs all connection with the original meaning of the words; the Sept. ἐν τῷ ἱματίῳ ἢ ἐν τῷ στρώματι ἢ ἐν τῇ χροῒ; that is, just like אֲרַחְמֵי הָאֵשׁ (see *supra* on ver. 48); and the Vulg. eo quod infusa sit in superficie vestimenti vel per totum lepra; but in the Vulgate this entire portion is epitomised rather than translated.

CHAPTER XIV.

SUMMARY. — 1. *Ceremony of purification for a leper after recovery* (vers. 1—32).

The priest, going to the leper's seclusion without the camp, orders two clean live birds to be taken, and one of them to be killed over an earthen vessel containing spring water; in the mixed blood and water he dips the second bird together with cedar-wood, hyssop, and a crimson thread or band, sprinkles the fluid upon the convalescent seven times, and lets the living bird fly away over the fields (vers. 1—7). The convalescent then washes his garments, shaves off all his hair, bathes in water, and returns, a clean man, into the camp; for seven days, however, he is not permitted to enter his tent; on the seventh day, he again shaves off all his hair, and bathes in water (vers. 8, 9), and on the eighth, he brings to the Sanctuary two male lambs and one ewe-lamb, together with three tenths of an ephah of flour and a log of oil: one of the he-lambs is presented for him as a trespass-offering, and a part of its blood is sprinkled by the priest upon the tip of his right ear, upon the thumb of his right hand, and upon the great toe of his right foot; then some of the oil is sprinkled seven times towards the Holy of the Sanctuary, some of it is put on the same parts of the convalescent's body as the blood, and some upon his head. Next, the ewe-lamb is presented as a sin-offering, and the second he-lamb as a holocaust, accompanied by the usual bloodless oblation of the flour (vers. 10—20). — In cases of poverty, one he-lamb must be brought as before as a trespass-offering.

together with a log of oil and a tenth part of an ephah of fine flour; but for the sin-offering and the holocaust two turtle-doves or two young pigeons are accepted; and the rituals are in every respect identical with those prescribed for the larger offerings (vers. 21—32).

2. *Leprosy of houses* (vers. 33—53). If a house shows on the walls greenish or reddish spots, sinking, or appearing to sink, below the surface, it is to be shut up for seven days; if then the evil has spread, the affected stones are removed, and the mortar within the house is scraped off, taken to an unconsecrated spot without the camp, and replaced by other stones and other mortar (vers. 33—42). If, after a time, the evil is found to have made progress, the whole house is broken down, and all its materials are brought to an unclean place without the city (vers. 43—45). Those who enter such a house are unclean till the evening, while those who sleep or eat in it have, besides, to wash their garments (vers. 46, 47). But if the evil does not advance, the house is declared clean, and is purified by ceremonies closely analogous to those enjoined for the purification of a leprous person (vers. 48—53; comp. vers. 2—7). — 3. *A comprehensive formula of conclusion* (vers. 54—57).

1. And the Lord spoke to Moses, saying, 2. This shall be the law of the leper on the day of his being pronounced clean: He shall be brought to the priest; 3. And the priest shall go forth out of the camp; and the priest shall look, and, behold, *if* the plague of leprosy is healed in the leper, 4. The priest shall command to take for him that is to be cleansed two live clean birds, and cedar wood, and crimson *thread*, and hyssop: 5. And the priest shall command that one of the birds be killed into an earthen vessel over running water. 6. As for the living bird, he shall take it, and the cedar wood, and the crimson *thread*, and the hyssop, and shall dip them together with the living bird in the blood of the

1—32. The recovery from leprous disorders, which was comparatively rare, was signalled by a significant and impressive ritual, in accordance with the symbolism of the East and the distinctive doctrines of the Hebrews. There could be little difficulty in fixing the prominent features of the ceremony, which were readily suggested by the striking characteristics of the disease, and by the peculiar light in which it was viewed from early times. Leprosy was almost looked upon as living death; therefore the rites must

forcibly represent the ideas of life and regeneration. It manifests itself in the most loathsome uncleanness; therefore it required striking acts of purification. And it was regarded as a Divine punishment for grave offences; therefore it demanded expiatory sacrifices. From these three points of view the ceremonial is devised, and it is from them that its apparently complicated details must be surveyed. Its object was to express that the sufferer had been restored to life and health; to bodily cleanness or social intercourse; and

bird *that was* killed over the running water; 7. And he shall sprinkle upon him that is to be cleansed from the leprosy seven times, and shall cleanse him, and shall let the living bird loose into the open field. 8. And he that is to be cleansed shall wash his clothes, and shave off all his hair and bathe in water; then he is clean; and after *that* he may come into the camp; but he shall remain out of his tent seven days. 9. And it shall be on the seventh day *that* he shall shave off all his hair — *that* of his head and his beard and his eyebrows, and all his *other* hair he shall

to moral purity or to communion with God. It was, therefore, naturally divided into three distinct parts.

The first acts of course took place beyond the precincts of the camp or town, away from the congregation of Israel and the Sanctuary of God. They were thoughtfully and consistently framed with the view of impressing the notion of life. The priest, who throughout conducted the ritual, ordered two clean live birds (חיים) to be brought, together with cedar wood, a crimson thread or a strip of crimson cloth (צמר אדום), and twigs of hyssop, evidently the cedar wood and the hyssop to be tied up by the crimson thread or band. Cedar wood, remarkable for durability and hardness, and long resisting decay and putrefaction, was employed for buildings designed to convey the ideas of power and spiritual life, as the Temple, and for structures meant to defy the effects of time, as the royal palace (comp. *Psa.* XIII. 5 or 11); and cedar oil, supposed to ward off decomposition, was extensively used for embalming (comp. *Psa.* XVI. 11 or 21; 40 or 76—79; *XXIV.* 5 or 11), it was called "the life of the dead" (חַיֵּי הַמֵּתִים), and believed to possess many important remedial properties (*Dioscor.* I. 106). Nor were life and health less intelligibly typified by crimson, the colour

of blood, which was regarded as the cause and principle of existence in men and animals. But hyssop was chosen merely because it is most convenient for sprinkling, since its delicate and resinous leaves readily absorb fluids, and as readily give them forth by shaking; it was prescribed for the practical requirements of the ceremonial, and was for similar purposes used on other occasions also (*Ex.* XII. 22; *Num.* XIX. 6, 18), just as the Greeks took twigs of laurel (comp. *Aristoph.* Pax 959; *Athen.* IX. 76; etc.); it has, therefore, here no symbolical significance; yet having been constantly employed in rites of purification, it may, in the course of time, have been associated with cleansing from moral or physical uncleanness (comp. *Psa.* LI. 9); and it was, together with cedar wood and crimson stuff, thrown into the burning body of the "red cow", by the ashes of which defilement through contact with a corpse was removed (*Num.* XIX. 6, 18; see *infra* vers. 49 *seq.*; comp. *Knobel* on Lev. p. 477).

In the next place, "living water", that is, water taken from a running stream or a perennial spring, bubbling forth with the semblance of action and life, was to be poured into an earthen vessel: an earthen utensil, and not a more durable and more expensive metal one was chosen, probably be-

shave off; and he shall wash his clothes, and he shall bathe himself in water, and he shall be clean. 10. And on the eighth day, he shall take two he-lambs without blemish, and one ewe-lamb one year old without blemish, and three tenths of an *ephah* of fine flour for a bloodless offering, mingled with oil, and one log of oil. 11. And the priest that performs the cleansing shall present the man that is to be cleansed, and those things, before the Lord, at the door of the Tent of Meeting. 12. And the priest shall take the one he-lamb, and offer it for a trespass-offering, and

cause, after having served the purposes described, it was no more to be used, but to be broken in pieces. Over that earthen vessel one of the clean birds was to be killed so as to let the blood flow into the water: though the bird was no sacrifice, and its slaughter was attended with no sacrificial rites, it seems yet to have been meant as a symbol of that death which had threatened the patient, and from which he had been so providentially saved. Into the mixture of blood and water, both of which were symbols of life, the priest was to dip not only the bundle of hyssop and cedar wood, held together by the crimson thread, but also the second, that is, the living bird. He was then to "let the bird loose into the open field" — not only sparing its life, but restoring it to perfect liberty, and thus intimating to the convalescent that, having been rescued at the threshold of death, he was thenceforth allowed to choose again his abode at pleasure, and to move among his fellow-men in unrestrained freedom. Could this idea have been so aptly expressed by a quadruped, however swift-footed, as by a bird, since wings are the natural emblems of free and rapid movement? (Comp. Ps. CXXXIX. 9.)

Yet the restored leper could not associate with his fellow-men in a state of impurity; therefore, with

acts symbolizing return to life were entwined acts conveying complete lustration. The priest was to sprinkle him seven times with the hyssop twigs dipped into the mingled blood and water, the number seven recalling the holy aspiration of man towards Divine purity; then, taking a personal part in the proceedings, he was to wash his garments, which might have absorbed diseased matter; to shave his entire body, because the hair is most seriously affected by leprosy (comp. Num. VIII. 7; *Herod.* II. 37; *Theodor.* Quaest. XII in Num.); and lastly to undergo careful ablutions. Being now considered clean, and released from his dreary seclusion, he was allowed to return to the camp. Yet his admission to society was only gradual; for seven days he was tolerated in the community, rather than received into it; during that time he was forbidden to hold close intercourse with his brethren, and least of all with his family, and he was not permitted to enter his own dwelling. That week was evidently meant as an intermediate stage between his complete isolation and his complete liberty; it was to fill up the immense chasm between religious death and the renewal of that inner life which he was soon to manifest by worshipping at the national Sanctuary; it was to prepare him for the

the log of oil, and wave them *for* a wave-offering before the Lord. 13. And the lamb shall be killed in the place where the sin-offering and the burnt-offering are killed in the holy place; for as the sin-offering *is* the priest's, *so is* the trespass-offering; it *is* most holy. 14. And the priest shall take *some* of the blood of the trespass-offering, and the priest shall put *it* upon the tip of the right ear of him that is to be cleansed, and upon the thumb of his right hand, and upon the great toe of his right foot. 15. And the priest shall take *some* of the log of oil, and pour *it* into the

ceremonies designed to reinstate him as a member of the Hebrew theocracy, and to confer upon him his ordinary religious privileges, and with them his full social rights.

Having, on the seventh day, once more scrupulously shaved his whole body, washed his garments, and bathed himself, he was, on the eighth day, to accomplish the final acts of lustration. Among these a trespass-offering, which had probably been presented on similar occasions from early times, occupied a prominent place. It involved those significant rites which most strongly impressed upon the mind the ideas suggested by the event. It consisted of a male sheep which, together with a log of oil typifying Divine wisdom, was first to be "waved" by the priest before God; and by this ritual, which is in no other case connected with expiatory sacrifices, it was specially consecrated to Him as the Ruler of heaven and earth and the Dispenser of human destinies; the sheep was then to be killed at the brazen Altar, on the spot where the holiest sacrifices, the burnt- and sin-offerings, were usually slaughtered, that is, on its northern side; next the priest was to put some of the blood on the right ear of the convalescent, on his right hand, and his right foot, that is, on those parts of the body which most strikingly symbolise a godlike life

of ready obedience, unwearied activity and pious devotion, and which were also marked on the High-priests and the priests at their solemn initiation: thus his re-admission as a member of the "kingdom of priests" was conveyed to the Hebrew mind with irresistible force; and it was ratified by a corresponding ceremonial with the oil, which was put on the same parts of the body just over the blood, and, besides, on the head, the organ of reason and intelligence: moral purification was the basis on which spiritual enlightenment was reared up; the negative was supplemented by a positive element prompting to holy thoughts, and resulting in righteous deeds; and this positive element received still greater weight by the priest sprinkling the oil seven times "before the Lord", that is, towards or upon the vail before the Sanctuary, the source of light, knowledge, and peace.

Following the text attentively, we find this order of proceeding prescribed with respect to the oil: first, some of it was put upon the convalescent's right ear, hand, and foot; next, a part was sprinkled seven times before the Lord; and lastly, "the remainder" was put upon the convalescent's head. The fact that the head is treated separately from the other members of the body, is not

palm of his own left hand; 16. And the priest shall dip his right finger in the oil that *is* in his left hand, and shall sprinkle of the oil with his finger seven times before the Lord; 17. And of the rest of the oil that *is* in his hand shall the priest put upon the tip of the right ear of him that is to be cleansed, and upon the thumb of his right hand, and upon the great toe of his right foot, upon the blood of the trespass-offering; 18. And the remnant of the oil that *is* in the priest's hand he shall pour upon the head of him that is to be cleansed: and the priest shall make

without significance; it appears to intimate, that the Hebrew was pre-eminently to excel in obedience, activity, and devotion, and that he should regard intellectual superiority as a precious gift indeed, but only in connection with, and subordinate to, the exercise of those practical virtues.

Now the expiation seems completed (ver. 18); for it is difficult to discover any rite or emblem that could have been devised in addition to those just reviewed, comprising, as they did, regeneration of body and mind, of heart and soul. And yet the Law prescribed, besides, not only a holocaust with an exceptionably ample cereal oblation of three omers of fine flour instead of the usual one omer (comp. Num. XV. 4), but also a sin-offering. We can readily understand, why the former was added, since it was deemed desirable to convey a general expression of Divine sovereignty after recovery from a heaven-inflicted disorder. But why the latter? Or rather, why not the latter instead of the previous trespass-offering? Was not the sin-offering the holiest and most imposing form of expiatory sacrifices? and did not, on this occasion, the author intend to prescribe the most solemn rituals which lay within the range of Hebrew symbolism? Why both a trespass- and a sin-offering?

and if both, why were the most striking and most significant ceremonies connected with the less important victim? The only satisfactory explanation is afforded by a reference to the history of sacrifices among the Israelites. The earlier, and for a long time the only, class of expiatory sacrifices were the trespass-offerings; though at first mainly confined to the atonement of offences relating to property, they were, in course of time, extended to other and more spiritual spheres; in this manner, they came to be employed at the restoration of the leper, though, for long periods, they were probably offered in a very simple form; and having once taken root, they were retained even after the introduction of the more sacred and more impressive class of expiatory sacrifices, especially as they had then probably been associated with those remarkable rites which exhausted the emblems of moral renovation and intellectual light so completely, that the superadded sin-offering was allowed to consist of a *female* victim (see Comm. on Lev. I. pp. 262 *sqq.*). Indeed the trespass-offering was deemed so indispensable, that in all cases, whether the convalescent was rich or poor, it was required to be a lamb, the blood of which was disposed of in the manner described;

an atonement for him before the Lord. 19. And the priest shall offer the sin-offering, and make an atonement for him that is to be cleansed from his uncleanness; and afterwards he shall kill the burnt-offering; 20. And the priest shall present the burnt-offering and the bloodless offering upon the altar: and the priest shall make an atonement for him, and he shall be clean.

21. But if he *is* poor, and his fortune does not suffice, he shall take one lamb *for* a trespass-offering to be waved, to make an atonement for himself, and one tenth of an ephah

but the sin- and the burnt-offerings were in cases of poverty permitted to be pigeons or turtle-doves, and were thus clearly marked as less essential in the ceremonial of purification.

In this manner, the healed leper, released from bodily and spiritual death, was restored to unreserved communion with his family, his people, and his God; he had passed through a threefold gradation of rites, *without* the camp, *in* the camp, and "before the Lord"; and he had thereby won the threefold boon of political, social, and religious regeneration; he was again a member of the holy theocracy, pledged to all its duties, and entrusted with all its privileges.

PHILOLOGICAL REMARKS. — As in other passages, *וְהִקְדִּישׁ* is here (ver. 2) "his purification", i. e. his being pronounced clean (comp. XIII. 35; XV. 13; Num. VI. 9); whereas *וְהִקְדִּישׁ* (ver. 48) is to purify or to expiate (comp. Num. VIII. 6, 7, 15, 21), and *וְהִקְדִּישׁ* (Hithp.) to purify oneself (Num. VIII. 7), like *וְהִקְדִּישׁ* (Num. VIII. 21; XIX. 12 sqq.; XXXI. 19). — *וְהִקְדִּישׁ* is a *constructio praeognans*, the disease "is healed and has disappeared from" the leper. — We need not labour to fix the exact species of birds here intended by *וְהִקְדִּישׁ* (ver. 4); for the text prescribes "two clean *וְהִקְדִּישׁ*", which

words point logically, not to particular kinds, but to a class of birds; and versions like "two clean pigeons" or "clean sparrows" (Vulg., Pagninus, Arias, a. o. passeres), "clean swallows" (*וְהִקְדִּישׁ*, Maim. a. o.), or "clean hens" (gallinae, Origen. in Lev. Hom. VIII. 10), imply a tautology. Ebn Ezra observes, therefore, correctly, "Every bird is called *וְהִקְדִּישׁ*, therefore any clean birds that happen to be at hand, may be taken" (and so Bochart, Lund., a. o.; and Sept. *ὀπιθία*, which term, however, was in later times used for *hens* — *Athen.* IX. 7 —, and may, therefore, have given rise to Origen's rendering; comp. *Bochart*, *Hieroz.* II. i. 16, p. 111). Jewish tradition has decided in favour of sparrows, and adduces the playful reason, that as leprosy was sent as a punishment for calumny which is perpetually whispering, it was proper to choose birds proverbial for their constant twitter (*Talm.* Erach. 16^b, *וְהִקְדִּישׁ* *וְהִקְדִּישׁ* *וְהִקְדִּישׁ*; and so Rashi, *Maimon.* Mor. Nev. III. 47; comp. also *Lightfoot*, Op. II. 532; *Lund.* Heiligth. p. 761; *Boch.* *Hieroz.* II. i. 21, pp. 145, 146). And the wood of the lofty cedar-tree (comp. *Isai.* II. 13; XXXVII. 24; *Am.* II. 9) was to recall the haughtiness of mind which deserved the affliction of leprosy; while the diminutive hyssop (comp. 1 Ki. V.

of fine flour mingled with oil for a bloodless offering, and a log of oil; 22. And two turtle-doves or two young pigeons, for which his fortune suffices; and the one shall be a sin-offering, and the other a burnt-offering. 23. And he shall bring them on the eighth day for his cleansing to the priest to the door of the Tent of Meeting, before the Lord. 24. And the priest shall take the lamb of the trespass-offering, and the log of oil, and the priest shall wave them *for* a wave-offering before the Lord. 25. And he shall kill the lamb of the trespass-offering, and the priest shall

13) was to enforce humility and obedience as the conditions of Divine forgiveness. (*Rashi* after *Yalkut Shim.* I. no. 559, fol. 157; *Midr. Rabb.* Vay. sect. 16; *Hotting.* Jus Hebr. p. 249): Maimonides (*Mor. Nev.* III. 47) rejects these views, but confesses his inability to account for the selection of cedar, hyssop, and crimson, and to explain their meaning. — It is true, that turtle-doves and young pigeons only are usually ordained as sacrificial birds, and they are so prescribed in this very section (ver. 30); however, the *תורים* are not required for a *sacrifice*; they are employed for symbolical ceremonies, not performed at the altar, but without the camp (vers. 3, 8), and not accompanied by the sprinkling of blood on any part of the Sanctuary, which was an indispensable feature in every sacrifice. According to the *Mishnah* (*Neg.* XIV. 1), the birds must be such as live both in open fields and in houses (*בגדו וברו*); this is probably not quite in harmony with the spirit of the injunction, which demands birds loving liberty and accustomed to fly about freely — which is perhaps another reason why pigeons and turtle-doves were not commanded. Jewish tradition, moreover, declared that the hyssop must neither be Greek, nor Roman, neither that coming from the region of "Oochli" (*אוכלי*), nor such

as grows wild in the desert, and, in general, none that is distinguished by a qualifying epithet! (*Talm.* Ohull. 62^b; *Mishn.* Par. XI. 7 *sqq.*; comp. on this portion in general *Mishn.* Neg. XIV). — The birds are expressly required to be *living* birds, because the notion of life forms the very centre of the ceremonial; hence *חיים* is by no means superfluous; but this word hardly denotes "strong and faultless" birds, or "such as are conspicuous for vivacity and alertness" (*Rosenm., Bähr*; comp. ver. 7 where *חיים וברו* is simply used in contradistinction to *חיים וברו* (ver. 6). — *קנה* (Arab. *كَنْه*, Aram. *קנה*), prop. the "strong, hard, and compact tree", is undoubtedly the *cedar*, certainly not the pine (*Cels.* Hierob. I. 106—134). — On the colour *קנה* see Comm. on *Exod.* p. 487, and on *חיים* *hyssop* *ibid.* pp. 204, 205; *Dioscor.* III. 30; *Plin.* XXVI. 4 or 11 *sqq.*; *Cels.* Hierob. I. 407—448. The red or crimson colour here denotes life, which meaning it has in reference to fire also (see Comm. on *Lev.* I. 529); it does not symbolise purification, but on the contrary sin, white representing innocence (comp. *Is.* I. 18; Comm. on *Lev.* I. p. 101). — It has been strangely assumed, that the priest was to procure the birds and the other objects from his own means (*Ebn Ezra*); but it was a general

take *some* of the blood of the trespass-offering, and put *it* upon the tip of the right ear of him that is to be cleansed, and upon the thumb of his right hand, and upon the great toe of his right foot; 26. And the priest shall pour of the oil into the palm of his own left hand; 27. And the priest shall sprinkle with his right finger *some* of the oil that is in his left hand seven times before the Lord; 28. And the priest shall put of the oil that is in his hand upon the tip of the right ear of him that is to be cleansed, and upon the thumb of his right hand, and upon the

principle, that the sacrifices and gifts should be the property of the person who offered them (Comm. on Lev. p. 101). — The one bird (ver. 5), which might be killed by any clean person (Jon. *וְהָיָה כִּי יִשָּׁחַט הַטֹּרֵף בְּיַד טָהוֹר*, and so in vers. 13, 50), was to be killed "into" (כִּי) an earthen vessel over (עַל) running water" (מֵי חַיִּים), that is, it was during the act of killing to be held "over" a vessel with water taken from a running stream or from a well, so that the blood flowed "into" the vessel, and mingled with the water (comp. ver. 51; Sept. *ἐπὶ ζῶντος... ἐλ; δὲ γὰρ ζῶντος... ἐπ' ὕδατος*; see *Bähr*, Symb. II. 512). The "living water" (מֵי חַיִּים; comp. Gen. XXVI. 19) is contradistinguished from stagnant or rain-water, gathered in cisterns or reservoirs; comp. Jer. II. 13; Gen. XXXVII. 24; see also Lev. XV. 13; Num. XIX. 17; Sept. *ἐπ' ὕδατος* (ζῶντος, Vulg. *super aquas viventes*; Onk. and Jon. *זָרָה עַל הַמַּיִם* flowing, running water; Ebn Ezra water taken *מֵמַיִם זָרָה*; Rosenm. *aqua perennis*; *Liv.* I. 45, *vivo perfunderis flumine*; *Virg.* Aen. II. 719, 720, *donec me flumine vivo abluero*; *Ovid.* Fast. IV. 778, *et vivo perlus rore manus*; etc. — According to the Mishnah (Neg. XIV. 1), the vessel was to be a *new* one (כֵּל חָדָשׁ מֵחֶרֶץ), which probably accords with the legislator's intention; and the sprinkling was to be performed on the back of

the convalescent's hand, or upon his forehead. — Targ. Jonath., following older authorities, concludes the 7th verse with this addition, "And if that man is destined (כִּי יִשָּׁחַט הַטֹּרֵף) to be again stricken with leprosy, it shall happen, that the live bird will return to his house, and that it is fit to be eaten: and the killed bird is to be buried by the priest in the presence of the leper." It is possible, that the convalescent's exclusion from his tent or house for seven days was intended to debar him from "approaching the side of his wife", as Jewish tradition maintains (comp. Jon., Siphra, Rashi, a. o.; see also *Bähr*, Symb. II. 520, 521; *Friedreich*, Zur Bibel, p. 224; *Sommer*, Bibl. Abhandl. p. 216); for connubial intercourse, which caused uncleanness during the day (XV. 18), would have interrupted the period of holy preparation; but the injunction is general, and applies to married and unmarried men alike; its chief object was probably that pointed out above; yet it may, besides, have been intended to serve as an additional guarantee of the leper's perfect recovery (see also *Kurtz*, Opfere. p. 382). — According to the Mishnah (Midd. II. 5), restored lepers bathed in a chamber at the north-western corner of the Court of women (comp. Neg. XIV. 8). — The animal killed for the trespass-offering (טֹרֵף) was

great toe of his right foot, upon the place of the blood of the trespass-offering; 29. And the rest of the oil that *is* in the priest's hand he shall put upon the head of him that is to be cleansed, to make an atonement for him before the Lord. 30. And he shall offer the one of the turtle-doves or of the young pigeons of those for which his fortune suffices, 31. Even such for which his fortune suffices, the one *for* a sin-offering, and the other *for* a burnt-offering together with the bloodless offering: and the priest shall make an atonement

one of the two *male* sheep, and not, as has been asserted (by *Bähr*, l. c. pp. 512, 522, a. o.), the female one (רמא), which was reserved for the sin-offering (ver. 19); the victims of trespass-offerings were males in all cases (Comm. on Lev. I. p. 278); hence here תרומה (ver. 12; comp. also *Ebn Ezra* on ver. 10). The trespass-offering has, in this instance also, been considered as a *fine* or *mulct* of the convalescent, which he had to pay, because, during his illness, he had been unable to present any offerings, and had thus curtailed the rights of God: this view is so strained and paradoxical, that it is in itself sufficient to refute that theory of the meaning of trespass-offerings (see Comm. on Lev. I. p. 268 note 6; comp. also *Kurtz*, *Opferc.* § 101). — The Sept. adds after עוֹלָה (ver. 10) ἐναυσιος (עוֹלָה). — On עוֹלָה רָא see p. 213; and on עוֹלָה רָא see Comm. on Lev. I. pp. 85, 103—105. — עֶפְחָה is undoubtedly the tenth part of an *ephah* (Sept. Num. XV. 4 δέκατον τοῦ εἴφ), that is, an *omer* (comp. Exod. XVI. 36), not the tenth part of a *seah* (רָא); on this and on רָא see Comm. on Exod. pp. 297, 304. — Three omers, instead of one, were prescribed for the cereal offering, not as a substitute for the drink-offerings which should have accompanied the two expiatory sacrifices (*Talm.*

Menach. 91^a), and much less "in consideration of the many and troublesome offices the priests had to perform in connection with the leper" (Knob.). — עוֹלָה (ver. 11) refers to the animals and materials mentioned in the preceding verse. — According to Jewish practice or tradition, the person was not taken "before the Lord" into the Court of the Temple itself, but only to the gate of Nicanor, between the Court of the women and that of Israel, because his purification was still incomplete (עוֹלָה עוֹלָה); on the other hand, the blood of expiatory offerings could not be brought beyond the limits of the Court of Israel. In this dilemma, a ceremony was adopted which is thus described — "The restored leper puts his head through the gate of Nicanor, and the priest puts some of the blood on the cartilage of his right ear; then he stretches forth his right hand, and the priest puts blood upon his thumb; and lastly his right foot, and some blood is put on the great toe". Yet one authority, Rabbi Jehudah, deemed it desirable, that the person should put through all the three members at once. In a similar manner, the convalescent was required to impose his hand upon the victim; and from the same place the purifications were performed in other cases of defilement; for instance, when

for him that is to be cleansed before the Lord. — 32 This is the law of him in whom *there was* the disease of leprosy, whose fortune does not suffice at his cleansing.

33. And the Lord spoke to Moses and Aaron, saying, 34. When you come into the land of Canaan,

a man had recovered from a running issue, or when a woman brought her offerings after childbirth (see *Mishn. Neg. XIV. 8, 9*; *Kal. I. 8*; *Talm. Sot. 8*; comp. also *Lightf. Op. I. 754*; *Maimon. De Indigent. piacul. cc. 4, 5*, pp. 196—201 ed. De Veil). Origen (in *Lev. Hom. VIII. 10*) and many later writers assumed an analogy between the two birds here ordained, and the two goats prescribed for the Day of Atonement, the live bird being supposed to symbolise the removal of the leper's uncleanness; but this view, which is devoid of even an appearance of probability, leads to false and distorted explanations of our ritual (comp. *Bähr l. c.* pp. 519, 520; *Winer, Real-Wört. II. 660*; *Keil, Archäolog. I. 289*; *Kurtz, Opfercult. pp. 379—381*; see notes on ch. XVI. 20—22). — The ceremonial here described has naturally been made the subject of *typical* explanations; let it suffice to adduce as a specimen a few features of the theory worked out by Bochart (*Hieroz. II. i. 23, p. 151*). Leprosy signifies sin. The clean bird, by which the leper is cleansed, denotes Christ, who, pure from stain, effaces all sins. The killed bird points to Christ dying on the cross, and the released bird to Christ rising from the grave, and ascending into heaven. Hence two birds are necessary, because one cannot typify Christ in his double nature, the human, which is subject to death, and the Divine, which is immortal. Similarly, the cedar which is the highest, and the hyssop which is the lowest plant, are symbols of Christ, who is

both God and man, while the crimson band resembles his blood. Only one bird is killed, because Christ was to die only in the flesh. The blood of the killed bird is mixed with water, as, on the cross, both blood and water flowed from the side of Christ. The live bird is sprinkled with the blood of the dead one, to intimate that Christ, the man, was, by his death, joined to God; for the remission of sins could neither be effected by God without man, nor by man without God. — *תְּחִלָּה* (ver. 13) Sept. *καταπαύου*, since it was not the priest who performed the killing of the victim (comp. *Comm. on Lev. I. 477*); therefore *תָּרַח*, which the text is careful to repeat in reference to all other parts of the ceremonial (vers. 11, 12, 14—20), is omitted with respect to that one menial function. — On *אֶת הַדָּם* see *Comm. on Lev. I. 679*; Rashi gives here the explanation *תַּנְדְּרוֹן* tendron (cartilage). — *לְעַל* (ver. 17) is simply "upon the blood", not "besides the blood of the trespass-offering"; comp. ver. 28, "in the place of (*בְּמָקוֹם*) the blood of the trespass-offering". — Jonathan renders *תָּרַח* (ver. 22) by *תָּרַח מִדָּם הַזֶּה*, evidently in contradistinction to *דָּם הַזֶּה*.

33—57. Though entirely deserted by experience, we can hardly hesitate to understand by "the plague of leprosy in houses" some abnormal and dangerous affection analogous to leprosy of persons both in its nature and effects. It is true, that nothing similar has in recent times been observed in the East

which I give to you for a possession, and I put the plague of leprosy in a house of the land of your possession; 35. He that owns the house shall come and tell the priest, saying, *There* seems to me *something* like a plague in the house. 36. Then the priest shall command that the house be emptied before the priest goes *into it* to see the plague, lest all that *is* in the house be made unclean; and after that the priest shall go in to see the house. 37. And *if* he looks at the plague, and, behold, the plague *is* in the walls of the house — hollow streaks, greenish or reddish, which in appearance *are* lower than the wall; 38. Then the priest shall go out of the house to

or elsewhere (comp. *Sonnini*, Voyage, III. 125); but it must always be remembered, that leprosy in general has during the last two or three centuries lost much of its former force and malignity, owing mainly, it may be assumed, to more efficient precautions. Not only is leprosy of houses described with exactly the same terms as leprosy of persons (comp. vers. 34, 44, 55, לִמְנוּחָיו , זֶה הָאֵשֶׁת , and even לִמְנוּחָיו 'ז), but some of the specified symptoms coincide in both cases, as the deeper appearance of the affected spots (ver. 37); in both cases, the period of seven days marks the crisis (ver. 38); the defilement caused by contact or even by proximity is the same (vers. 36, 46, 47); and what is still more important, and seems almost decisive, the rites of purification are all but identical, as far as the matter admits; we have here also the two clean birds, the cedar wood, the hyssop, and the crimson band; the killing of the one bird over an earthen vessel filled with "living" water, and the release of the other into the open field; the immersion of those three objects in the mingled blood and water; and lastly the sevenfold sprinkling (vers. 49—53). These are lustrations for real leprosy and for no-

thing else. Nor is it difficult to understand, how in very virulent cases of personal leprosy, some of the diseased matter, which is powerful enough to cause the mutilation, the falling off, and mortification of whole limbs, may corrode the paint or the stones, and especially the mortar of the leper's house, change their colour, cling to them, and spread irresistibly. Living in such houses may become as dangerous as contact with lepers themselves, and requires, therefore, the same rigid control. This explanation appears at least more plausible than any other that has yet been suggested (comp. *Schilling*, De Lepra, pp. 189 sqq.; *Knobel* in loc.; etc.). Many decide in favour of "the nitrous scab" (Salpeterfrass), an efflorescence, on the walls, of common salpêtre or "mural salt", resembling hoarfrost, and formed by a nitrous acid with the admixture of a fixed vegetable alkali. That nitrous incrustation, fostered by uncleanness, and absorbing the moisture of the atmosphere, penetrates through the stones, and marks them with greenish and other spots, though it is seldom seen higher than the ground floor; it loosens the mortar which slowly crumbles away, and weakens even the

the door of the house, and shut up the house seven days. 39. And the priest shall come again the seventh day, and shall look, and, behold, *if* the plague has spread in the walls of the house, 40. The priest shall command, that the stones in which the plague *is*, be removed, and cast into an unclean place without the city; 41. And he shall cause the house to be scraped within round about, and the mortar that is scraped off shall be thrown without the city into an unclean place. 42. And other stones shall be taken, and put in the place of those stones; and other mortar shall be taken, and the house be plastered. 43. And if the plague returns, and breaks

walls, which ultimately collapse, though often after a long resistance; it occurs mostly in houses built on a marshy soil; it renders the objects near it mouldy or putrid, and causes fusty exhalations, which disagreeably settle in clothes; it thickens the atmosphere, impedes the breathing, and is, therefore, most injurious to health, especially to persons sleeping in such a house (comp. *Michael*, Mos. R. IV. 187—197; *Vohney*, Reisen I. 55; *Faber*, Archäol. I. 362; *Rosenm.* Morgenl. II. 185, 186; *Friedreich*, Zur Bibel, I. 234, 235; *Winer*, Real-Wörterb. I. 468; a. o.). Some again trace the evil to animalcules working in the stone, like mites in a cheese (*Calmet*, Dict. sub *Lèpre*); others to vegetable structures appearing on decomposed stones and mouldy walls, especially those which are built of many heterogeneous materials, and bearing a great resemblance to herpetic eruptions of the skin (*Sommer*, Bibl. Abhandl. pp. 219, 220; *Reinhard*, Bibelkrankh. I. 92, 93); and others think that the fungus is meant, which often grows on walls in extraordinary quantity, and by attracting dampness gradually corrupts the houses, and is exceedingly noxious to health (*Wunderbar*, Bibl. Med. II. 1.

8). But it is difficult to perceive the slightest affinity between these contingencies and leprosy, whether in name, appearance, or character; the “nitrous scab” is usually whitish, and rarely greenish or reddish (ver. 37); like the other irregularities alluded to, it affects the exterior of houses also and even predominantly, whereas the precautions with respect to “leprosy of houses” are restricted to the interior (ver. 41), and evidently point to a connection with the inmates. If we may suppose that the term “leprosy” (צרע) includes several kindred diseases which, though different in form and in their degree of virulence, are all dangerous by contagion, the precepts of our law, bearing so close an analogy to those on leprosy of persons, will be even more intelligible. The assumption that, in the imaginative Eastern style, the peculiarities of leprous persons are naturally applied to “house-patients”, is inadmissible in sober legislative ordinances. Perplexity has here, as elsewhere, prompted interpreters to take refuge in miracles, and to assert that the disorder was supernaturally inflicted, whenever God deemed it necessary to remind His sinful people, that they owed to

out in the house after the stones have been removed, and after the house has been scraped, and after it has been plastered; 44. The priest shall come and look, and, behold, *if* the plague has spread in the house, it *is* a malignant leprosy in the house; it *is* unclean. 45. And the house shall be broken down, its stones, and its timber, and all the mortar of the house, and they shall be carried out of the city into an unclean place. 46. And whoever goes into the house during the whole time that it is shut up, shall be unclean until the evening; 47. And whoever lies in the house shall wash his clothes, and whoever eats in the house shall wash his

Him not only their lives, but also their raiments and their houses; and in support of this idea they have even adduced a Biblical text, "If I put (פִּתְיָ) the plague of leprosy in a house" (ver. 34): however, the transcendentalism of the Bible attributes all occurrences, even those resulting from the necessary laws of nature, to God as the primary cause. — It is against the spirit of the Old Testament to consider the uncleanness of leprosy houses not as "external defilement or infection", but as "ideal and symbolical", teaching that the sin of man "spreads from him to the things he touches or uses, or to the places he inhabits, in a manner which needs not be taken as physical contagion" (*Keil*, Lev. pp. 98, 99), a mystic view, the singularity of which is but little removed from the typical conceit that leprosy of houses is an emblem of the Hebrew cities, especially the Temple, certain to be destroyed by God on account of Israel's perversity (*Michaelis*, Typ. Gottesgel. p. 106).

PHILOLOGICAL REMARKS. — The place which this section occupies, is certainly irregular; leprosy of houses would most naturally have followed after leprosy of garments (XIII. 47—

58); yet the laws on these two kindred subjects are separated by the expiatory ordinances prescribed for leprosy of persons. The conclusion seems almost irresistible, that our section is a supplementary addition to the laws of leprosy, which originally comprised only those regarding persons and garments; while leprosy of houses, no doubt of rare occurrence, was at first not considered to require legislative control, but was later subjoined with a distinct heading (ver. 33), and with evident reference to the preceding injunctions, since the ceremonies of purification are manifest repetitions (see *supra*). The houses were probably destroyed in extreme cases only, and the loss was seldom very great, as Eastern dwellings are, as a rule, small, frail, and poor. — It has been supposed, that the commands here given were meant to apply to the Holy Land only, which contained the Sanctuary, the abode of God's glory (comp. *Ezra* on ver. 37); but the contingency of the dispersion of the Hebrews is never considered in the special laws of the Pentateuch. — The clearing out of the house, previous to the priest's inspection, was intended as a boon and favour to the inhabitants; for if the

clothes. 48. But if the priest comes and looks, and, behold, the plague has not spread in the house, after the house was plaistered, the priest shall pronounce the house clean; for the plague is healed. 49. And he shall take to cleanse the house two birds, and cedar wood, and crimson *thread*, and hyssop; 50. And he shall kill the one of the birds over an earthen vessel over running water; 51. And he shall take the cedar wood, and the hyssop, and the crimson *thread*, and the living bird, and dip them in the blood of the slain bird and in the running water, and sprinkle the house seven times; 52. And he shall *thus* cleanse the

examination proved the house to be infected by leprosy, all objects found therein were unclean (comp. *Mich. Mos. B. IV. 194*). — For a reason which will be understood from preceding remarks, Targ. Jonath., anxious to transfer the accident from the physical to the moral sphere, inserts after מִן הַבַּיִת (ver. 34), "And if there is a man who has built his house from stolen goods" (רָכַשׁ שְׁטוּלָה). Jewish conceptions may be seen in *Mishn. Neg. III. 8; XII; XIII*. — The utterly untenable theory, that this entire cycle of laws is traceable to the old Elohist, renders it necessary to declare the words from וְהָיָה לְךָ לְזִכָּרוֹן (ver. 36) as a later Jehovistic interpolation, since the Elohist never uses the particle לְ (Knob.): that a historical analysis of the composition of Leviticus leads to a much later time, and demands very different principles of interpretation, will be evident from the whole tenour of our observations. — Targ. Jonath., in harmony with Jewish tradition, fixes the size of leprous spots which suffice to make a house unclean, at "two beans" (שְׁתֵּי בִּצְמוֹת; comp. *Mishn. Neg. XII. 3; Kel. XVII. 12; Sifra fol. 62^b, 63^a ed. Schlossb.*). — The word חֲלָלִים (ver. 37) is rendered by the ancient versions with singular unanimity *cavities or hollow places* (Sept. κοιλ-

δες, Vulg. valliculae, Onk. פְּרוֹת, etc.), and it has been so explained by later interpreters; but it is of uncertain etymology; it seems hardly a compound of two roots, as of קָרַן *to sink down* and עָמַק *to be deep* (Michaelis, Gesenius), or of קָרַן and עָמַק *to be damp* (Oleric., comp. Ebn Ezra), or a *forma shaphelica* of עָמַק *to be deep* (Knob.); but rather a quadrilitera formed from קָרַן by the addition of the liquid ח, which is repeated to express the notion more emphatically (comp. Gramm. II. §. XVIII. 1, 2). — The Talmud (*Sanh. 71^a*) calls the places to which the stones of leprous houses were removed מְקוֹמֵי חֲלָלִים. The period during which the new stones and mortar were watched for the appearance of suspicious spots (ver. 43), was by Jewish tradition fixed at one week; the term after the expiration of which their soundness may be presumed (ver. 48) at two weeks (*Sifra*). — Bashi, availing himself of the Talmudical principle, that the Law observes no systematic order in the arrangement of details, places the 44th after the 47th verse, thereby producing an illogical sequence. — חֲלָלִים (ver. 43) is an anomalous infin. like קָרַן (2 Sam. XII. 14, see Gramm. II. §. XLV. 1, 2): that it is the infin. and not the preterite is evident from the parallel forms חֲלָלִים and חֲלָלִים,

house with the blood of the bird and with the running water, and with the living bird, and with the cedar wood, and with the hyssop, and with the crimson *thread*. 53. And then he shall let the living bird fly out of the city into the open field, and make an atonement for the house, that it may be clean.

54. This *is* the law for all manner of plague of leprosy, and scall, 55. And for the leprosy of a garment and of a house, 56. And for a rising, and for a scab, and for a bright spot; 57. To teach when *it is* unclean, and when *it is* clean: this *is* the law of leprosy.

though the latter, standing for חִיִּי , has also chirek instead of pathach in the first syllable (see Gramm. II. § XLV. 1. 2. a). — The words יָמֵי הַסִּגְוָה (ver. 46), used elliptically for יָמֵי הַסִּגְוָה , form one notion "the days of closing", and therefore the construct state יָמֵי is employed, as is not unusual before relative sentences, whether they have the particle אֲשֶׁר or not (see Gramm. § 87. s. f, g.). — אָפַק (vers. 49, 52) is "to free from sin, to expiate", the Piel involving privative meaning (Gramm. II. § XXXVII. s. b), and it is synonymous with נָקָה (ver. 53; see Comm. on Lev. I. 477), which the Vulgate here also renders by

orare. — $\text{וְיָמֵי הַסִּגְוָה}$ (ver. 57) refers back to $\text{וְיָמֵי הַסִּגְוָה}$ (ver. 54) — literally "this is the instruction for every plague of leprosy . . . to afford instruction in the time of uncleanness and in the time of cleanness", that is, when a decision is to be given with respect to cleanness or uncleanness of a person, a house, or a garment. Targ. Jon. has the Midrashic rendering, "that the priest may teach the people concerning the dark day when no leprosy is to be examined, and concerning the bright day, etc." (comp. *Siphra* fol. 74^b; see *supra* p. 228).

CHAPTER XV.

SUMMARY. — 1. *On running issue in a man* ($\text{זָרַח$, vers. 1—15). Mucus discharged from or stopping a man's member, constitutes a disease rendering unclean not only the patient himself, but every couch, seat, or object, on which he lies or sits, and all persons he spits upon, or touches with his body or with unwashed hands. Such persons as well as all those who carry any object on which he has been sitting or lying, are unclean till the evening, when they must bathe, and wash their garments; those who merely touch any such object, are also unclean till the evening, but require no lustration; earthen vessels touched by the patient must be broken, wooden ones rinsed with water (vers. 1—12). On the seventh day after the discharge has ceased, he must wash his garments, and bathe in running water; and on the eighth, he has to present two turtledoves or two young pigeons, one for a sin-offering, and the other for a holocaust (vers. 13—15). — 2. *Nocturnal accidents of a man* render him

unclean till the evening, when he must bathe, while all stained garments require washing (vers. 16, 17). — 3. *Sexual intercourse* makes both parties unclean till the evening, when bathing restores them to cleanness (ver. 18). — 4. *A woman in her courses* (מקצת) is unclean for seven days; all things whereon she sits or lies become unclean, and, on their part, defile any object that happens to be upon them; touching such object causes uncleanness till the evening, and so does any personal contact with the woman; but whosoever touches her bed or any object whereon she has been sitting, has, besides, to wash his garments and to bathe. If menstruation ensues before or during the intercourse, without the man being aware of it, he is unclean for seven days, and renders everything unclean whereon he lies (vers. 19—24). — 5. *Prolonged or irregular issue of blood* (מצות דם) on the part of women is levitically treated like menstruation (vers. 25—27; comp. vers. 19—24), and is cleansed by sacrifices identical with those ordained for the running issue of men (vers. 28—30; comp. vers. 13—15). — 6. *General Rule* (ver. 31) and *concluding formula* (vers. 32, 33).

1. And the Lord spoke to Moses and to Aaron, saying, 2. Speak to the children of Israel, and say to them, If any man has a running issue out of his flesh, his issue is unclean. 3. And this shall be his uncleanness in his issue: *whether* his flesh run with his issue, or his flesh be stopped on account of his issue, it is his uncleanness. 4. Every bed, whereon a person lies that has the issue, shall be unclean; and every object, whereon he sits, shall be unclean. 5. And whosoever touches his bed, shall wash his clothes, and bathe *himself* in water, and be unclean until the evening. 6. And he that sits on

1—15. The ritual effects of the disorder here treated of are indeed copiously described, but we are almost completely left in doubt as regards its symptoms. We have, in fact, only this to guide us, that the malady is a running issue (צֵד) from "the flesh" of a man, that is, from his genitals; that this issue occasionally stops up the member; and that both in the one case and in the other uncleanness is caused. However, even these few criteria, in conjunction with some incidental allusions, enable us at least to contract the circle of probabilities. The disorder cannot be

hemorrhoids, whether open or blind (Beyer, a. o.), as these do not flow from the genitals, and a loss of blood is never mentioned. It cannot be an involuntary discharge of semen from weakness (or gonorrhoea benigna), whether arising from self-abuse or from excessive sexual intercourse (*Mishn. Zavim* II. 2 and *Maim.* in loc.; *Nazir* IX. 4; *Maim.* De Indig. Piac. co. II, III. pp. 189—196 ed. De Veil, a. o.); for the semen thus secreted does not stop up the genitals, as it is quite fluid, while when it ceases to flow, the complaint is cured, and the uncleanness ought to be at an end; be-

any object whereon a person sat that has the issue, shall wash his clothes, and bathe *himself* in water, and shall be unclean until the evening. 7. And he that touches the flesh of a person that has the issue, shall wash his clothes, and bathe *himself* in water, and be unclean until the evening. 8. And if a person that has the issue spits upon one that is clean, *the latter* shall wash his clothes, and bathe *himself* in water, and be unclean until the evening. 9. And any saddle, on which a person that has the issue rides, shall be unclean. 10. And whosoever touches any thing

sides, the moral stain which such an evil involves, would in some manner have been intimated by the author either in the statement of the evil or in the purificatory rites. It cannot be syphilis (gonorrhoea virulenta, Michaelis, a. o.); for this disease seems to have been unknown before the fifteenth Christian century; and it is described neither by Greek, nor Roman, nor Arabic physicians. Had it been prevalent in Palestine, its striking features and fearful effects, peculiarly malignant in the hot Eastern climate, would doubtless have been dwelt upon by a legislator so accurate even in subordinate details. It is not necessarily a *contagious* disorder; the most careful precautions are indeed prescribed in reference to even the slightest and most indirect contact with the discharged matter (see the Summary); but similar precautions are ordained in connection with other discharges which are unquestionably harmless, as the menstrual fluid (vers. 19—27); their object was not to prevent physical injury, but that levitical uncleanness which was to be shunned by all citizens of the theocratic commonwealth. It is probably no *seminal* disorder in the stricter sense; for though a “discharge” (זָרָה) is repeatedly mentioned, the term seed or semen (זָרָה) never occurs

(comp. vers. 16—18); and elsewhere a person suffering from running issue (זָרָה) is clearly distinguished from one who emits semen (זָרָה, XXII. 4). What then remains? To judge from its varied effects, the discharge must be more copious than is usual in a spontaneous loss of semen, and must be able to stop up the member without ceasing to be internally secreted; and yet it is harmless, and may be touched with impunity. It can, therefore, only be an inordinate secretion of mucus (blenorhoea urethrae), caused by some catarrhal condition or relaxation of the mucous membrane, and usually originating from intercourse with uncleanly, menstruous, or unhealthy women. Considering all this, and taking into account the physical degeneracy to which the evil points, we cannot be surprised that it was treated with some severity, which was perhaps the more justified as the sufferers themselves are apt to slight and neglect it, and, if carelessly treated or prematurely stopped, it may grow into a much more serious evil. Hence persons afflicted with a “running issue” were included among those who had to remain without the camp (Num. V. 1—4); they were debarred from partaking of the paschal meal, and, at later periods, from appearing on Mount Moriah, and even within

that was under him, shall be unclean until the evening; and he that bears *any of* those things shall wash his clothes, and bathe *himself* in water, and be unclean until the evening. 11. And whomsoever a person that has the issue touches, without having rinsed his hands in water, he shall wash his clothes, and bathe *himself* in water, and be unclean until the evening. 12. And the earthen vessel, that a person who has the issue touches, shall be broken; and every wooden vessel shall be rinsed in water. — 13. And when a person that has an issue is cleansed of his issue, he shall number for himself seven days for his

the precincts of the holy city itself (*Joseph. Bell. Jud. V. v. 6; VI. ix. 3; Mishn. Kelim I. 8*).

The ceremonies of purification were, on the whole, very simple. When the cure was considered certain, that is, on the eighth day after the complete cessation of the discharge, bathing in "living" water was required; for as every irregularity in the functions of the organs was looked upon as dissolution akin to death, the idea of restoration to health or perfect life was in some manner to be symbolised. Two birds sufficed as sacrifices of atonement, which were a holocaust and a sin-offering — the one to acknowledge the sovereign power of God who sent the trial, and the other to expiate the offences by which the troubles were supposed to be merited: for the teaching of the Book of Job, that God often afflicts the pious for inscrutable ends, had not even at so late a period as that of our section superseded the old doctrine of retaliation.

PHILOLOGICAL REMARKS. — It is well known, that *וְהָיָה* is euphemistically employed for the private parts (VL 3; XVI. 4; Exod. XXVIII. 42), especially of men (Ezek. XVI. 26; XXIII. 20), but also of women (*in/ra* ver. 19), and in this sense it is here used (vers. 2, 3): the objections that have

been raised against this acceptation (f. i. by *Sommer* l. c. p. 233; *Keil*, Levit. p. 99; *Archaeol. I.* 276), are removed by comparing the analogy of ver. 19 (*וְהָיָה כְּשֶׁיֵּצֵא*). Therefore, while the translation of the Vulgate and others is too specific (*qui patitur fluxum seminis*), that of the Sept. is too vague (*ἐνδὲρ ὃ ἐν γένηται ῥύσις ἐκ τοῦ σῶματος αὐτοῦ*), though the Sept. subsequently renders *וְהָיָה* by *γονορροίας* (vers. 4 *sqq.*). In ver. 13, *וְהָיָה* is of course "his body", as in ver. 16, etc.; in ver. 7, its sense is more doubtful, but is probably there also euphemistic (so *Mich. Mos. R. IV. 198; Orient. Bibl. XXII. 1—11; Rosenm. in loc.; Bähr, Symb. II. 456; a. o.*); and the touching need not be limited to the physician or surgeon for medical purposes. — The auxiliary verb *וְהָיָה* accompanying the participle, gives to the latter the meaning of an adjective or of a permanent attribute; therefore *וְהָיָה כְּשֶׁיֵּצֵא* (ver. 2) signifies, "if he ordinarily suffers from a running issue" (comp. Gramm. § 100. 8); and Targ. Jonathan renders the traditional view — "a man, whether young or old, who has seen his running issue three times". — It is hardly possible to take *וְהָיָה* (ver. 2) as an accusative, "he is unclean by, or on account of, his discharge" (comp. Gramm. § 86.

being pronounced clean, and wash his clothes, and bathe his flesh in running water, and then he shall be clean. 14. And on the eighth day, he shall take to himself two turtle-doves or two young pigeons, and come before the Lord to the door of the Tent of Meeting and give them to the priest; 15. And the priest shall offer them, the one *for* a sin-offering, and the other *for* a burnt-offering; and the priest shall make an atonement for him before the Lord for his issue.

16. And if discharge of semen go out from a man, he shall wash all his flesh in water, and be unclean until the

^a); passages like Gen. III. 15 and XLI. 40, are not analogous. — The Sept., in the translation of 'נִשְׁכַּח מִמֶּנּוּ (ver. 8) differing from the Masoretic text, renders ῥέτω γόνον ἐκ τοῦ σπύματος αὐτοῦ ἐκ τῆς ῥύσεως κτλ., which is however, open to grammatical objections; while the Vulg. has it quite freely, cum per singula momenta adhaeserit carni ejus atque concreverit foedus humor. — נִשְׁכַּח is *to seal* or *to seal up*, hence in Hiph., with intransitive meaning, *to be shut* or *stopped*, and נִשְׁכַּח מִמֶּנּוּ is "or if his member is stopped up from its issue", that is, so that the matter cannot run out freely, the preposition מִן often involving obstacle or check (Gramm. § 105. 4). — נִשְׁכַּח *if it is*, or *it causes, his uncleanness*. — Jonathan states explicitly, that the man defiled by contact with an unclean person, must bathe himself in 40 seahs of water (ver. 5; XI. 32; Exod. XXIX. 4; Num. XIX. 7, 8; etc.; comp. *Mishn. Menach. XII. 4*). — נִשְׁכַּח (ver. 9) is either simply *vehicle, carriage* (comp. 1 Ki. V. 6), though in this sense the feminine נִשְׁכַּח is commonly used, or more especially the *seat* or *saddle* of a carriage or of a beast of burden (so Sept. ἐκταγμα, Vulg. sagma; Rashi נִשְׁכַּח arçon and שֶׁלֵּל selle): considering the rigour of our laws, the former acceptation seems pre-

ferable; and Jonathan combines the one with the other (זוֹרֵם וְנִשְׁכַּח). — The Sept. repeats, at the end of ver. 9, the words ῥέτω ἐκ τῆς ῥύσεως which occur in the preceding and the following verses, and adds at the end of ver. 12 καὶ καθάρων ἑσται. Nachmanides and others groundlessly suppose, that the "rinsing of hands" (יָדַי לֹא שָׁטָף) implies immersing or bathing in water (נִשְׁכַּח). — On כִּי יִשְׁכַּח vessels of porous clay, see p. 177. — About נִשְׁכַּח (ver. 13) see on XIV. 2; it means not merely ad purificationem suam, ut cognoscat, se vere recuperasse pristinam sanitatem (Rosenm. a. o.).

16, 17. Involuntary emission of semen during sleep, or by "nocturnal accident" (נִשְׁכַּח לַיִל Deut. XXIII. 11), comparatively rare in the East on account of polygamy and early marriages, was deemed an abnormal waste of strength; it was, therefore, looked upon as a Divine visitation, and from early times rendered the man unclean till the next evening (comp. 1 Sam. XX. 26). He had to leave "the camp", to avoid all social intercourse during the day, and then to cleanse himself by ablutions, which, in similar cases, the Egyptian priests had also to perform (*Porph. Abst. IV. 7*). But the levitical writer extended the uncleanness to the stained objects, and forbade

evening; 17. And every garment and every skin whereon is the discharge of seed, shall be washed with water, and

their use unless previously washed. It may seem surprising, that for the person himself no significant rite of purification, or no expiatory sacrifice, was prescribed; we cannot suppose that the legislator desired to avoid causing still greater inconvenience, as he was rarely guided by such considerations of expediency; he probably found it difficult to connect contingencies so natural as nocturnal accidents with guilt and moral transgression. But he would certainly not have omitted to ordain some expiatory ceremony, if he had here meant to treat, not of the spontaneous discharge referred to, but, as has been unjustly assumed, of that engendered by self-abuse (*Mich. Mos. R. IV. § 214*), a practice so baneful and so criminal that, had he intended to oppose it, he would not have been content with a veiled allusion, nor with so lenient a treatment of the offender and his offence, but he would have conveyed his abhorrence of both by distinct terms of reproof, and by enjoining severe acts of humiliation. In this rigorous spirit the laws of *Manu* are conceived. For the "involuntary waste of manhood" during sleep they merely prescribe bathing, praying to the sun, and uttering the supplication, "Oh let my strength return to me"; and similar was the rule among the Egyptian priests, the Zebii, and the Parsees, who looked upon the accident as "the impure play of Ahriman" (*Vendid. XVIII. 101; Jesht Sade 51; Hotting. Hist. Orient. p. 281*). But intentional pollution was declared a detestable crime; the person, if belonging to the three highest classes, was obliged to sacrifice by night, at a place where four roads meet, a black or a one-eyed ass, be-

sides other victims; clad in the skin of that ass, he was ordered to beg his meals daily for a whole year in seven houses, and publicly to confess his misdeed; he had to bathe three times every day; and during the whole of this period the light of the Vedas was considered withdrawn from his mind (*Manu II. 180, 181; V. 63; XI. 118—123*). — Nor can here "the effusion of seed" in sexual intercourse be meant, as this case is provided for in the following law (ver. 18). — The Talmud, declaring the ordinances of purity inoperative since the destruction of the Temple (see p. 193), dispensed with bathing after a nocturnal accident; yet the Jews living among Mohammedans and adopting their customs, later returned to the Biblical injunction (comp. *Koran IV. 48*); and the Kabbalists, fancying that the semen is emitted by the friction of female demons, and that it produces the devils, considered purifications imperative.

PHILOLOGICAL REMARKS. — The phrase *וַיִּפְּקֵם* is undoubtedly *effusion of seed* (vers. 16—18, 32; *XVIII. 20; XIX. 20; Num. V. 13*), like *וַיִּפְּקֵם* alone without *וַיִּפְּקֵם* (*XVIII. 23; XX. 15; Num. V. 20*), from *פָּקַד* in the meaning *to pour out* (*Job XXXVIII. 37; comp. וְהָיָה אֶלְכָּם עֶזְרָא Exod. XVI. 13, 14, and Arab. سكب*); the signification of *concupitus*, *וְהָיָה* being derived from *פָּקַד* in its more frequent sense, can, in some passages, only be maintained by a forced hypallage (*concupitus seminis* for *semen concupitus*, so *Vulg. semen coitus, Engl. Vers. seed of copulation, Glass, Rosenm., a. o.*), while in others, where *וַיִּפְּקֵם* is omitted, it is entirely inapplicable. The *Sept.* renders literally, but indistinctly, *ἐκτὸς ἐκπύματος*, and *Onkel. intro-*

be unclean until the evening. — 18. And if a man lies with a woman *with* discharge of semen, they shall *both* bathe *themselves* in water, and be unclean until the evening.

duces the verse by the addition "if a man commits a fault" (לְפָנַי עָשָׂה טָמֵא).

16. It is difficult to decide whether sexual intercourse was, in the consciousness of the Hebrews, brought in to connection with the disobedience of the first couple, and was therefore, because involving a debasement from a state of passionless innocence, considered as inherently defiling; the Scriptures contain no allusion to such a view; and the old and widespread legend referred to included also the Divine institution of matrimony. Yet it seems undisputed that, if not sexual intercourse in itself (conubitus), certainly the attendant effusion of semen (coitus), was from early times regarded to cause uncleanness, extending, according to Josephus, both to the body and the soul (C. Ap. II. 24). Keeping aloof from women was deemed a necessary preparation for holy acts, and was in later periods considered by many as an indispensable condition of a holy life, whereas connection always required "sanctification" (Exod. XIX. 15; 1 Sam. XXI. 5, 6; 2 Sam. XI. 4; comp. 1 Cor. VII. 3 *sqq.*; see Comm. on Exod. p. 336; on Levit. I. p. 167). The levitical law declared both the man and the woman unclean till the evening; and the matter was, therefore, of special importance to the priests, and to all those who desired to visit the Temple, whether on ordinary days or on the great national festivals. The Sadducees and the Karaites interdicted connubial intercourse on Sabbath as a profanation of the sacred day; whereas the Pharisees, though prohibiting it on the Day of Atonement, held it on Sabbath peculiarly appropriate (comp. *Mishn.*

Yom. VIII. 1; *Talm. Bab. Kam.* 82^a). Our law may, by the serious restraints it imposed, have tended to promote moderation in conjugal life, and thus to have been conducive to health and a vigorous progeny, though it was hardly framed with these objects in view; but it was certainly not intended to check polygamy, nor had it this effect (so *Michael. Mos. B.* IV. p. 209; *Jahn, Arch.* II. 343; a. o.). It has many parallels among other nations; thus intercourse with women is also declared defiling by the Koran (V. 9), and by the Hindoo ordinances, which, moreover, fix the propitious days and nights; it was so considered by the Egyptians and the Greeks, by the Arabians and Babylonians: among the latter, it was customary for both parties, after the act, to sit down opposite each other with a vessel of burning incense between them, and to bathe at the dawn of day, when they were again permitted to touch their household utensils (comp. *Mann* V. 135, 144; III. 45—47; *Herod.* I. 198; II. 64; *Strabo* XVI. 1. 20, p. 745; *Porph. Abst.* IV. 7; *Ovid, Metam.* X. 434, 435).

PHILOLOGICAL REMARKS. — This verse contains, as most of the ancient and modern interpreters acknowledge, a new precept on conjugal intercourse, whereas the two preceding verses refer to involuntary loss of semen in sleep. The arguments that have been adduced by many to prove, that our verse also treats of nocturnal accidents, are biassed and fallacious (*Sommer*, l. c. pp. 226, 230—238; comp. also Luther, "ein Weib, bei welchem ein solcher liegt"); so understood, our verse would be a superfluous appendage; the Masorah

19. And if a woman has an issue, *and* her issue in her flesh is blood, she shall be in her impurity seven days; and whosoever touches her shall be unclean until the

has indeed failed to separate both precepts by *ו* or *ו*, but it is, in this respect, neither exact nor consistent; the concluding formula (vers. 32, 33) may well be considered to allude to conjugal connection in the words *אשר יצא ממנו שכבתי וזר*. — Jonathan renders, "If a man has intercourse with a woman a second time"; for according to Rabbinical views, the first coitus does not defile, since it never results in pregnancy. — *שכב* with the accus. (*אִתָּהּ*) is not simply "to lie at her side", but "to have connection with her"; it expresses this sense more distinctly (comp. ver. 24; XX. 18; Gen. XXVI. 10; XXXIV. 2, *וַיִּשְׁכַּב אִתָּהּ*; XXXV. 2; 1 Sam. II. 22; etc.), and more directly, than *וַיִּשְׁכַּב* and *וַיִּשְׁכַּב* (Gen. XXX. 15, 16; XXXIX. 12; 2 Sam. XI. 4; etc.; comp. German *beschlafen*), which may also be "to sleep near her" (ver. 33), or than veiled expressions such as *וַיִּשְׁכַּב* (Exod. XIX. 15; comp. 1 Sam. XXI. 5 *וַיִּשְׁכַּב*). The words *וַיִּשְׁכַּב* explain the verb *וַיִּשְׁכַּב*, and form its qualifying complement — to sleep, viz. so that effusion of semen ensues (Num. V. 13; see Gramm. § 86. 4°).

19—24. Contact, however slight and indirect, with a menstruating woman was rigorously forbidden and guarded against, not only among the Hebrews, but among nearly all the nations of the ancient world. At first, it was no doubt avoided merely on account of the repulsive "unclean-ness" of the discharge, and especially its ill-odour, which is particularly offensive in warm climates; but in later times, it was shunned on account of its real or imagined dangers. For it was supposed to produce the most varied and almost marvellous

effects. Connection with a woman in her courses was deemed most injurious to health, and to result in diseased and deformed children: it causes indeed occasionally a slight inflammation of the member with blennorrhoea, pustulous eruptions on the foreskin, and obstinate issue of mucus from the urethra; but all serious apprehensions are, as a rule, unfounded (comp. *Niebuhr*, *Beschreib.* v. Arab. p. 139). This seems at least to have been the view of the Hebrew legislator; for if he had anticipated real harm, he would have prescribed a cure varying in duration, he would perhaps have threatened a severe punishment; moreover, if a man consorts with a woman who, without his being aware of it, becomes unwell either before or during the connection, he is indeed declared unclean for seven days; but he is then restored to all his social rights, and the effects of that connection are considered to have entirely vanished (ver. 24; see, however, *Phil. Rem.*).

Again, it was supposed that at the approach of a menstruating woman, the edge of steel is blunted, the polish of ivory fades, and copper vessels contract a fetid smell and are covered with verdigris; brass and iron become instantly rusty, and emit an offensive odour; linen boiling in a cauldron turns black; must gets sour; the brightness of mirrors is dimmed; the very hard bitumen of the Dead Sea, which yields to nothing else, can be cut asunder by a thread dipped in the fluid; seeds touched by the woman become sterile; grafts wither away; garden plants, young vines, rue, and ivy are parched up; and the fruit of trees beneath which she sits

evening; 20. And every thing that she lies upon in her impurity, and every thing that she sits upon shall be unclean; 21. And whosoever touches her bed shall wash his clothes,

falls off; bees die or hasten to escape from their hives; caterpillars, worms, beetles, and other vermin, fall from the ears of corn; the ants drop the grains which they may happen to carry, and never return to them; dogs tasting of the blood go mad, and their bite is incurably venomous; pregnant mares, and even women miscarry; children conceived in the period of the menses are subject to leprosy, elephantiasis, or a hideous formation of the limbs. — Yet on the other hand, the menstrual fluid was credited with remedial properties in many cases, such as gout and erysipelas, scrofulous sores and ulcers, defluxions of the eyes and head-ache, tertian or quartan fevers, the bite of a mad dog, and the evil spells of magicians! (comp. *Plin.* VII. 13 or 15; XXVIII. 7 or 23; also *Joseph. Bell. Jud.* IV. viii. 4; *Tacit. Hist.* V. 6; *Meiners, Gesch. der Rel.* II. 108, 109; *Friedreich, Zur Bibel*, I. 133—138). It is needless to observe, that these influences of the catamenia, which we have selected from a number of others too monstrous to be believed even by the ancients, are utterly fabulous, though they were partially admitted even in the middle ages and still more recent times.

But such views being entertained, is it surprising that religious legislators deemed the subject worthy of their serious attention? According to the Hindoo law, a person touching a woman in her courses, becomes unclean like herself and requires bathing (*Mans V.* 64, 85), and anyone having connection with her at such a time, must fast three days, and then purify himself by eating clarified butter (*Sâkser.* III. 289). Simi-

lar rules obtain among the Mohammedans, who look upon menstruation as "a defilement", in consequence of which the women of the sect of the Hanefites are forbidden to say their usual prayers during ten, those of the Shafites during fifteen days (*Koran* II. 217; *Niebuhr, Beschreib.* v. Arab. pp. 39, 40). But no people treated the matter with so much earnestness as the Parsees, who made it a part of their mythology; for they taught that when Jahl, the most dangerous of all the wicked female demons (Pairakas), and the spirit of incest and fornication, saw Ahriman enraged at Ormuzd's growing power and glory, she encouraged him to fight boldly against his adversary; as a reward for this friendly disposition, Ahriman kissed Jahl, who then for the first time felt the uncleanness of menstruation coming upon her; just as the Talmud teaches, that Eve became menstruous after her connection with the serpent Sammael (comp. *Vendid.* XVI. 1—44; XXI. 35; II. III. 9, 12, 16; VIII. 59; XVII. 54, 57; *Bundeh.* IX. 8; *Talm.* Yevam. 103^b; Shabb. 146^a; Av. Zar. 22^b; *Yalk. Chad.* init.; etc.; see *supra* p. 76 note 3). In harmony with this fabled origin of menstruation, the enactments of the Parsee codes on the matter are extremely rigorous and almost terrible: a man cohabiting with a woman at such a period, commits one of the twenty-five crimes regarded as the roots of all sins, one of Ahriman's mischievous works; he must provide food for a thousand hares, sacrificed to the fire the pure and holy fat of many animals, and burn with it a thousand bundles of dry wood, the branches

and bathe *himself* in water, and be unclean until the evening; 22. And whosoever touches any object that she sat upon shall wash his clothes, and bathe *himself* in water, and be un-

of fragrant trees, and choice aromatics; he must carry pure water, slay a thousand serpents moving along on their bellies or coiled up, two thousand other snakes, and a vast number of frogs; unless he comply with all this, besides doing severe personal penance, he can, after death, never enter the abodes of the saints, but he will be hurled into a pit of dense darkness, there to suffer eternal torture (*Vendid.* XVI. 1—44; XVIII. 134—152; *Jeshi Sade* 15). Among many nations, the menstruous woman was isolated from society, to prevent injury and pollution. In Persia, she was forbidden to speak to anyone, not even to those who brought her food, which they were obliged to set down at some distance from her. Among the Zabii, she remained secluded in her room; the places on which she had been treading were purified with fire; and a breeze that passed both over her and another person, rendered the latter unclean (*Meim. Mor. Nev.* III. 47). Some tribes both in the old and new world, as the negroes in Issing, the Calmucks, and Hottentots, and many others, provide special houses for menstruating women before each town or village. At the river La Plata, they are, besides, sown into hammocks, with only a small aperture for the mouth, and are thus kept until the discharge ceases. In Ceylon, not only the woman herself, but all persons who have been in the same house with her, are forbidden to enter a pagoda. The Red Indians deem all objects touched by her unfit for use. At her first menses, she remains secluded for thirty days, at the expiration of which the fire used by her during this period

must be extinguished; in Delaware, her head is closely tied up for twelve days, during which time she has to take frequent emetics, must eat little and do nothing; afterwards she is bathed and newly clad, and is for two months more strictly forbidden to see anyone.

The Hebrew legislator fixed the duration of uncleanness at seven days; for although he was no doubt aware that, as a rule, the discharge ceases much sooner, he was anxious to associate the significant number seven with so remarkable a phenomenon, which is peculiar to the human female (comp., however, *Plin.* H. N. VII. 13 or 15). He prescribes indeed no special acts of lustration for the woman herself; but as he enjoins ablution even after the most indirect contact with her, it is in the spirit of his laws to suppose that, after the lapse of seven days, she is to take a bath of purification. On this point, Jewish tradition is extremely scrupulous, and has very minutely set forth the construction, the size, and the supply of the baths to be used on such occasions (comp. *Mishn. Tract. Mikvaoth*; *Yor. Deah* § 201; see also *Friedreich*, *Zur Bibel*, I. 142—153; *Trusen*, *Sitten*, pp. 16—20). intercourse during menstruation was visited with the death of both parties (XVIII. 19; XX. 18; comp. *Koran* II. 221). In the East, girls begin to have their menses from their ninth and even their seventh year (comp. *Mishn. Kel.* I. 8).

PHILOLOGICAL REMARKS. — Targ. Jonath. renders the first words of ver. 19, "If a woman has a discharge of red or black blood, or issues blood of the colour of saffron or clay, or

clean until the evening; 23. And if *anything* is on her bed, or on any object whereon she sat, and any one touches it, he shall be unclean until the evening. 24. And if any man

like the mixture of red wine^ו with two parts of water" etc.; and this is in harmony with the teaching of the Mishnah (Nidd. II. 6, 7; comp. *Talm.* Nidd. 19; *Yor. Deah* § 188; and in general *Mishn.* Nidd. I, II, IV *sqq.*; *Kelim* I. 3; *Yor. Deah* §§ 183—202). — As the words *וְהָיָה זָכוֹר בְּשִׁמְרָהּ* (ver. 19) define those immediately preceding *וְהָיָה זָכוֹר*, they are added by way of asyndeton — "if a woman has an issue, *that is*, if the issue in her flesh is blood", which notion is expressed by other euphemisms also, as *אֵימָה בְּשָׂרָהּ* or *דָּמָה בְּשָׂרָהּ* (Gen. XVIII. 11; XXXI. 35). — The construction in ver. 23 *וְהָיָה זָכוֹר* is doubly elliptical, *וְהָיָה* implying not only the auxiliary verb, but an indefinite pronoun — "if anything is on her bed"; the apodosis begins with *וְהָיָה זָכוֹר*, but this word itself involves a conditional sentence — "if anyone touches it" (lit. by anyone's touching it): the *athnach* is, therefore, required under *וְהָיָה זָכוֹר*, not under *וְהָיָה זָכוֹר*. The ancient and most of the modern translators render the verse inaccurately or unintelligibly, and the Vulgate omits it entirely. The words *וְהָיָה זָכוֹר* and *וְהָיָה זָכוֹר* cannot be referred to *וְהָיָה זָכוֹר*, which is not mentioned in the preceding verses; and it would, after the other injunctions, certainly have been superfluous to declare that persons become unclean by touching the blood itself. — If harmony between the various levitical precepts were to be assumed, the 24th verse could hardly be understood otherwise than has been explained above (comp. *Ebn Ezra* in loc.; *Bähr*, Symb. II. 455; *Knobel*; a. o.). On the one hand, the phrase *וְהָיָה זָכוֹר* can only be referred to actual intercourse

(see *supra* on ver. 18); but on the other hand, intercourse with a woman in her menses was declared a heinous offence inexorably to be punished with the death both of the man and the woman (XX. 18); whereas in our passage the result of such connection is merely uncleanness of the man during seven days: such contradiction could only be accounted for by supposing that in the latter case the man was not aware of the woman's condition, or that it came on during the act; while in the former case the legislator desired to visit the wanton heedlessness of the offender, which is perhaps even intimated in the text (XX. 18). However, harmony between the various levitical precepts is a mere assumption. There is in the wording of the two laws nothing which *compels* so different an interpretation; the intercourse may in either passage be intentional; and if so, the discrepancy could only be explained historically. Our chapter is apparently a very late composition; it attempts a systematic and almost exhaustive treatment of discharges from the generative organs; it displays a subtle minuteness in the effects of uncleanness; and it prescribes not only purifications but expiatory sacrifices. But the twentieth chapter, desultory in form, and barbarous both with regard to the offences forbidden and the punishments enacted (comp. vers. 2, 5, 6, 9, 13—16, etc.), exhibits traces of a less advanced age. In this earlier period, connection with a woman in her menses was forbidden under penalty of death, not only because primitively punishments were in general more severe and summary, but

lies with her, and her impurity comes upon him, he shall be unclean seven days, and any bed whereon he lies shall be unclean.

25. And if a woman has her issue of blood a long time out of the period of her *monthly* impurity, or if it runs beyond *the time of* her *monthly* impurity; all the days of her unclean issue shall be as the days of her *monthly* impurity; she *shall be* unclean. 26. Every bed whereon she lies all the time of her issue shall be to her as the bed of her *monthly* impurity; and any object she sits upon shall be unclean, as the uncleanness of her *monthly* impurity; 27. And whosoever touches those things shall be unclean, and shall wash his clothes, and bathe *himself* in water, and be unclean until the evening. 28. And if she is cleansed of her issue, she shall number for herself seven days, and after that she shall be clean. 29. And on the eighth day she

because such connection was deemed both unnatural and dangerous; while later, when experience had proved, that the popular fears were much exaggerated, if not entirely groundless, uncleanness during a week was deemed sufficient inconvenience to induce men to care and caution. — The view that the command in XX. 18 refers to intercourse during the issue of blood after childbirth (on account of *דמי נדה* there and in XII. 7), is untenable (*Keil*, Arch. I. 276; Comm. p. 100).

25—33. The last case of sexual discharge is a protracted or irregular issue of blood in women; it is a distressing disease often extending over many years (Matth. IX. 20), and indicates a serious derangement of the constitution. The blood so discharged was, in every respect, regarded and treated as the blood of menstruation; and the woman herself was subjected to precisely the same laws and restrictions as a woman in her menses. She was unclean, and defiled every person and object touched by her directly or indirectly. If the

flow ceased, she had to undergo appropriate rites of purification; for seven days, she was in an intermediate or preparatory state, at the expiration of which she was considered clean; and then she had to present a sin-offering and a holocaust, which finally restored her to purity, secured her atonement, and re-instated her in all social rights.

Our section is fitly wound up by a double conclusion — one more formal (vers. 32, 33), and one pronouncing a leading principle of great significance: "Thus shall you keep aloof the children of Israel from their uncleanness, lest they die in their uncleanness, when they defile My abode that is among them" (ver. 31). Every uncleanness must be physically removed and religiously expiated; the omission of the one or the other is an offence against the Divine presence, which, symbolised by the Sanctuary, is graciously granted to the Hebrew community, but which severely avenges sin and pollution. The holy God demands a holy people, and the emblem or essence of holiness is purity (comp. on XI. 44, p. 184).

shall take for herself two turtles or two young pigeons, and bring them to the priest, to the door of the Tent of Meeting. 30. And the priest shall offer the one *for* a sin-offering, and the other *for* a burnt-offering; and the priest shall make an atonement for her before the Lord for her unclean issue.

31. Thus shall you keep aloof the children of Israel from their uncleanness, lest they die in their uncleanness, when they defile My abode that *is* among them.

32. This *is* the law of the person that has an issue, and whose seed goes from him, so that he is defiled therewith, 33. And of the woman that is unwell of her *monthly* impurity, and of the persons that have an issue, whether men or women, and of the man that lies with an unclean *woman*.

PHILOLOGICAL REMARKS.—עֲשֵׂה (ver. 31), probably standing for עֲשֵׂהָ (see Gramm. II. § XLVII. 3), is derived from עָשָׂה, which in Hiphil has the meaning of *admonishing* or *warning* against something (comp. 2 Ki. VI. 10; Ezek. III. 18); Sept. εὐλαβεῖς; ποιήσετε, Vulg. docebitis ut caveant; yet the derivation from עָשָׂה *to separate* is also admissible both as regards the form and the meaning (comp. עָשָׂה in Niph. *to separate oneself* or *to hold aloof*, XXII. 2; Ezek. XIV. 7; Zech.

VII. 3; hence in Hiph. the same in a transitive sense); Onk. עֲשֵׂהָ. — Jonath. adds after עֲשֵׂהָ (ver. 31), "and they shall keep aloof from their wives when near their menstruation" (comp. *Talm. Nidd.* 63^b). About עֲשֵׂהָ (ver. 33) see on XII. 2; Sept. τῇ αἰμορροῦσιν (ἐν τῇ ἀφίδρῳ αὐτῆς). — עֲשֵׂהָ עֲשֵׂהָ lit. "one that is running with regard to his issue", for עָשָׂה retains the force of a verb, as is not rarely the case with Hebrew participles; comp. Gramm. § 102. 7.



III.

SUPPLEMENTARY LAWS RESPECTING SACRIFICES AND PURITY.

CHAPTERS XVI AND XVII.

A. INTRODUCTORY TREATISE ON THE DAY OF ATONEMENT¹:

ITS ORIGIN AND ITS PLACE IN THE SYSTEM OF
HEBREW FESTIVALS.

THE ordinances concerning the Day of Atonement are, in the Pentateuch, introduced with these words, "And the Lord said to Moses, Speak to Aaron thy brother." But there is conclusive evidence to prove, that the Day of Atonement was instituted considerably more than a thousand years after the death of Aaron and Moses. If this statement appears startling to many, no one can fail to perceive the important inferences which it would suggest if indisputably established.

In the first place, let us remind the reader, that the Day of Atonement is, except in the three middle Books of the Pentateuch, never mentioned throughout the Old Testament, neither in the historical nor in the prophetic Books; and that it is even omitted by the Chronicist in the enumeration of the "Mosaic" festivals which king Solomon honoured with sacrifices². This negative argument, though it will

¹ פֶּסַח אֶחָד אוֹר שִׁבְעָה יָמִים, also called "the Fast" or "the Festival of the Fast" (ὑπερῆλα and ὑπερῆλας ἑορτή; *Philo*, De Septen. cc. 2, 23; Acts XXVII. 9).

² "Solomon offered burnt-offerings according to the commandments of Moses, on the Sabbaths, and on the New-moons, and on the solemn feasts, three times in the year, even

not be undervalued by those who consider the nature and extent of the Hebrew Scriptures, is of course in itself not decisive; but it adds weight to historical testimonies at variance with the injunctions of the Pentateuch.

We have incidental proof to show, that the Day of Atonement cannot have been celebrated in the first or Solomon's Temple. In this edifice, the Holy of Holies was separated from the Holy, not by a curtain or "vail" (רָחֵק), but by folding doors of olive-wood, adorned with carvings of Cherubim, palm-trees, and opening flowers, all overlaid with gold³. These doors were not always closed⁴; for in earlier periods, no anxiety was felt to shroud the entire Holy of Holies in mysterious darkness; the Ark of the Covenant was indeed rendered invisible by the figures of the Cherubim and their outspread wings⁵; but the staves by which it was carried, and which always remained in it⁶, were so long that their ends could be seen from the Holy through the open doors of the Holy of Holies⁷; yet in order to mark the separation between the two chief divisions of the Sanctuary, "a partition was made by chains of gold before the Holy of Holies"⁸. Hence Ezekiel also, who in his ideal delineations reproduced with all possible faithfulness the Temple at which he had himself served, gave to his own Sanctuary no curtain; and he placed before it "two doors with two turning leaves each"⁹. But the Temple of Zerubbabel, like that of Herod — for both resembled each other, except in size and splendour — had a vail or curtain¹⁰; for though the Holy of Holies, deprived of the Ark, was entirely empty¹¹, it was then, in accordance with more recent and severer notions, utterly shut out even from the gaze of the priests, and access to it was only per-

on the Feast of unleavened Bread, and on the Feast of Weeks, and on the Feast of Tabernacles" (2 Chron. VIII. 12, 13).

³ 1 Ki. VI. 31, 32. The contrary statement of the Chronist (2 Chr. III. 14), who in his descriptions copies the second Temple, has no weight.

⁴ 1 Ki. VI. 16 does not refer to a closed door before the Holy of Holies, but alludes to the partition-wall, twenty cubits high, which divided the two main parts of the structure (comp. *Mishn. Midd. IV. 1*).

⁵ 1 Ki. VIII. 6, 7.

⁶ Exod. XXV. 13—15.

⁷ 1 Ki. VIII. 8; comp. *Vatke*, *Rel. des A. T. I.* 332, 340, 540.

⁸ 1 Ki. VI. 21. Thus the chains, by no means "enigmatical" (*Winer*, *Real-Wört. II.* 572), served an intelligible purpose; they were neither an idle ornament, nor an "opus reticulatum" above the door to allow the vapour of the incense to escape, nor a mere symbol to indicate the absolute seclusion of the Holy of Holies (*Bähr*, *Der Salomon. Tempel*, pp. 142, 143).

⁹ Ezek. XL. 23, 24.

¹⁰ *Joseph. Bell. Jud. V. v. 5* (κατακτάσας); comp. *Matth. XXVII. 51*.

¹¹ According to Jewish tradition,

mitted to the High-priest on one single occasion in the year¹. Now, if it be remembered, that in the precepts regarding the Day of Atonement repeated mention is made of the vail (כַּסְיָה), through which the High-priest has to pass in order to reach the Holy of Holies², it follows, that the solemn day could, in the prescribed manner, not have been kept during the time of the first Temple.

Ezekiel, writing in the fourteenth year after the destruction of Jerusalem (B. C. 574)³, and describing the future reorganization of public worship, introduces indeed expiatory ceremonials designed "to cleanse the Sanctuary" and "all who have sinned from error or simplicity"⁴; but these ceremonials differ widely from those of Leviticus. We find discrepancies with respect to the very time of the celebration. While the Pentateuch prescribes *one* day, namely the *tenth* of the *seventh* month, the prophet sets apart *two* days, viz. the *first* and the *seventh* of the *first* month. This difference may easily be accounted for, and forms a strong link in the chain of our arguments. In Ezekiel's time, the year still commenced, as it had commenced among the Hebrews from immemorial ages, at the season of the *vernal* equinox, or in the first month Aviv (Nisan)⁵; therefore, desirous to mark the new cycle of time by religious solemnities, the prophet recommended rituals of expiation to be performed on the first of Aviv, and to be repeated on the *seventh* day, a number familiar to the Hebrews as holy and significant⁶. However, after the Babylonian exile, the Jews not only employed those Chaldean names of the months⁷, which occur in the later Books of the Hebrew Canon⁸, but,

however, a stone stood in the place of the Ark (*Mishn. Yom. V. 2*, כֶּסֶף נִסְתָּר בְּתוֹךְ הַכֹּהֲנִים . . . בְּיָמֵינוּ); see Comm. on Lev. I. p. 30 note 6.

¹ Later traditions supposed between the Holy and the Holy of Holies even two curtains, with a space of one cubit between them (*Mishn. Yom. V. 1*).

² Lev. XVI. 2, 12, 15.

³ Ezek. XLi. 1; comp. in general ch. XL *seq.*

⁴ Ezek. XLV. 18—20.

⁵ Exod. XII. 2 and notes *in loc.* It is a gratuitous assumption, that in Ezek. XL. 1, Tishri and not Nisan is understood as "the beginning of the year" (רֵאשִׁית שָׁנָא).

⁶ See p. 207.

⁷ Nisan, Iar, Sivan, etc.

⁸ In Zechariah, Esther, Ezra, Nehemiah, and then in the Books of the Maccabees and subsequent writings; comp. *Talm. Jer. Bosh. Hash. I. fol. 56 ed. Krotsch.* (שָׁנָא דְּלִי בִּדְנָא שְׁנֵי מָסְכִי); *Targ. Sheni Esth. III. 7* (שְׁנֵי מָסְכִי). The division of the day in hours (שָׁעָא) has the same origin; the word שָׁעָא does not occur in the Old Testament (except Dan. IV. 16, where it has not the meaning of hour); up to the Persian period, we find no trace of any other division of time than morning, noon, evening, and mid-night, besides three, and later four,

accommodating themselves to east-Asiatic customs, they began to date the civil year from the *autumnal* equinox, or the seventh month Ethanim (Tishri⁹). When they had made this change, they deemed it advisable to distinguish the first day of the seventh month as a religious festival or a "holy convocation"; as such it was appointed in the latest Books of the Pentateuch, in Leviticus and Numbers, under the names of "Day of Memorial" (יִדְּוֹן יוֹם) or "Day of blowing the trumpet" (שְׂמִירַת הַשֹּׁפָר), and it was then simply called New Year (שְׁנֵי יָמִים). In the course of time, the *tenth* day of the same month was fixed for penitence and self-affliction, and for the restoration of inward purity through Divine forgiveness; for the number ten was considered as hardly less significant than seven; it was chosen to convey that God's spirit or power descended to manifest itself on earth; and thus we must understand the revelation of Ten Commandments and the infliction of ten Egyptian plagues¹⁰. Those who attribute the whole of the Pentateuch to Moses, have ever been unable to explain the disagreement under discussion, and have asked themselves in utter perplexity — How could Ezekiel venture to blot out from the new theocracy the holiest day of the year, and to substitute for it two days of his own arbitrary selection? The indignation of the Rabbins at this imagined heresy was so vehement, that they were anxious to banish the Book of Ezekiel from the Canon; they attempted to lower its authority by ascribing it not to Ezekiel, but to the men of the Great Synagogue; while some urged, both against reason and against the plain context of the passage, that Ezekiel did not ordain an annual festival, but alluded to an exceptional ritual performed in the time of *Ezra*; yet they finally acquiesced in the hope that, in due time, the prophet Elijah would harmonise the apparently fatal contradictions¹¹. It is impossible to suppose that Ezekiel, a pious and learned priest, would have ignored or deliberately altered the most striking and most solemn day in the whole Hebrew year, if in his time that

night-watches (לְשָׁמֶרֶת; comp. *Talm.* Berach. 3^a).

⁹ יָדְוֹן from יָדָה to open, that is, Januarius; comp. *Hieron. Comm.* in Ezech. I. 1, Apud orientales populos post collectionem frugum et torcularia, quando decimae deferebantur in templum, October erat primus mensis et Januarius quartus; see also *Ideler*, Chron. I. 432, 492, 522.

¹⁰ See *supra* p. 59; comp. *Philo*, De

Septenar. c. 23, ἡ δὲ ἡμέρα τῆς νηστείας ἀγεται δεκάτῃ μηνός, ὅτι ἡ δεκάς παντέλεια.

¹¹ *Talm.* Shabb. 13^b ("if it had not been for R. Hananiah, the Book of Ezekiel would have been suppressed, because his words contradict those of the Law"); Chagig. 13^a (רַבּוֹתֵינוּ בְּפֶנֶס הַשָּׁמַיִם); Menach. 45^a (וְהָיָה כִּי יִשְׁמַע הַשָּׁמַיִם וְיִשְׁמַע הָאָרֶץ).

day had already been generally kept or authoritatively fixed: the fact that *he* knew of no such day, is sufficient proof that it was then not yet fixed.

But he deviates from the Pentateuch not merely in the time of the celebration: he prescribes rituals totally different from those of Leviticus. Apparently aiming at the expiation of the Temple rather than of the people, he merely ordains, that the blood of a young bullock slain as a sin-offering shall by the priest be put "on the posts of the Sanctuary, and upon the four corners of the ledge of the altar, and upon the posts of the gate of the inner Court"¹. Is it necessary to point out how little this agrees with the complicated, significant, and imposing ceremonial of Leviticus?

It may, therefore, be taken as certain, that the Day of Atonement is of later origin than the earlier part of the Babylonian exile (or B. C. 570).

When the first colony of Jews who, by permission of Cyrus, returned from Chaldea under the leadership of Zerubbabel, arrived in Palestine (B. C. 538), we are told that, at the approach of the seventh month — that is, still the month Ethanim — they all assembled in Jerusalem, set up the brazen altar in its old place, "and offered burnt-offerings thereon to the Lord morning and evening; they kept also the Feast of Tabernacles as it is written, and offered the daily burnt-offerings by number according to the custom, . . . from the first day of the seventh month they began to offer burnt-offerings to the Lord"². It is surely surprising that, in this notice, the Day of Atonement is neither mentioned nor alluded to³: when the first and the fifteenth of the month are named, though the former evidently not yet as a day of particular distinction, why was the intervening tenth day omitted, which, if celebrated even partially in the striking manner of the Law, must have produced a powerful impression upon the minds of men providentially released from a land of bondage, and just restored to their old homes, to commence a new and uncertain life full of struggles and dangers? No historian would, at that peculiar juncture, have failed to record the celebration of the Day of Atonement — if a celebration of any kind had taken place.

¹ Ezek. XLV. 19.

² Ezra III. 1—6.

³ It cannot be referred to in the words, "And of all the festivals of the

Lord that were consecrated" (ver. 5, *והפסחים אשר יקדשו ליהוה*), for these words apply to the festivals solemnised after the Feast of Tabernacles (*פסח*), that is, after the 23rd of the month.

In the twentieth year of the reign of Xerxes (B. C. 445), Nehemiah obtained permission from the king to proceed to Judea, about the condition of which he had heard most discouraging reports, and to preside over the province as governor, armed with extensive powers. When he had for some time exercised his new functions; when through his energy the walls of Jerusalem had under the greatest difficulties been re-built and fortified; when the most flagrant social abuses had been remedied, and the civil organisation of the community been considerably strengthened: the people demanded, that Ezra, who zealously assisted the younger Nehemiah, should read to them "the Book of the Law of Moses, which the Lord had commanded to Israel"⁴. Ezra, complying with this request, assembled the people on the first day of the seventh month in an open place before one of the gates, and there recited to them portions of the Law, while learned priests and Levites explained the text. "The whole people wept when they heard the words of the Law" (ver. 9). Why did they weep? Because they had become aware, that from ignorance they had transgressed its precepts; just as king Josiah under similar circumstances had given vent to his bitter grief and vexation⁵. But they were told by their religious teachers — "This day is holy to the Lord your God; mourn not, nor weep"; and they were ordered to celebrate it by festive repasts, and by sending portions to the poor; "for", said Nehemiah, "the joy of the Lord is your strength" (ver. 10). On the following day, the reading of the Law was continued, and the people were instructed how to build and to adorn booths for the coming Feast of Tabernacles; and this they celebrated, on the fifteenth day of the month and the following seven days, by sacrifices, public recitals of the Law, and convivial rejoicing, in a manner as it had not been kept "since the day of Joshua the son of Nun" (vers. 13—18). Did the people receive no directions with respect to the Day of Atonement, which, according to the Pentateuch, falls between the first and the fifteenth day of the seventh month? It appears that they received none. The tenth day of Tishri was not solemnised. The detailed account, which chronicles the events almost from day to day, has nothing to record with regard to the tenth day. Under such circumstances, the silence of the text is in itself highly significant; but it becomes decisive by the statement that follows — "On the twenty-fourth day of this (the seventh) month", continues the narrative, "the children of Israel assembled with fasting, and with sackcloths, and earth upon their heads, . . . and they stood and confessed their sins,

⁴ Nehem. VIII. 1. ⁵ 2 Ki. XXII. 11, 19.

and the iniquities of their fathers; and they rose in their places, and read in the Book of the Law of the Lord their God one fourth part of the day, and another fourth part they confessed, and worshipped the Lord their God"¹. Then the Levites, in a long speech, dwelt upon the untiring love of God, and the constant trespasses of the Hebrews, from the earliest time down to their own days; and finally they drew up a covenant of allegiance to God's Law, to which the leading Jews put their seals, and which the people swore to observe². Hence a Day of Atonement was indeed kept in that memorable year, but it was not the Day of Atonement prescribed in the Pentateuch; for it was solemnised, not on the tenth, but on the twenty-fourth day of the month, and it was solemnised in a singular manner.

Therefore, it may be stated as a result, that the Day of Atonement as ordained in the Pentateuch, is of later origin than Nehemiah's first governorship of Judea, or later than B. C. 440³.

¹ Neh. IX. 1—3.

² Neh. IX. 4—X. 32.

³ *George* (Jüdische Feste, pp. 301, 302), leaning upon uncertain arguments, fixes the middle of the exile as the date; comp. also *Wechsler* in *Geiger's Jüd. Zeitschr.* II. p. 124. — There is no cogent reason to prove that *Isai.* LVIII. 3 *sqq.* refers to a regular or annual day of fasting and penitence, still less to "the Day of Atonement"; nor was that chapter of *Deutero-Isaiah* composed "long after the rebuilding of the second Temple"; it belongs inseparably to the section comprising chapters XL to LXVI, and written by the same author in the time of the exile. — In *Zechar.* VIII. 19 (comp. VII. 5), it is not stated that all fast days shall be abolished, nor even that the fasts there mentioned were then already repealed. — The fourteen days' consecration of the Temple by Solomon in the seventh month affords no proof on either side; for it commenced only on the Feast of Tabernacles (אֶתֶּן, 1 Ki. VIII. 2, 65), that is, after the tenth of the month: therefore, the supposition of Rabbi Jochanan that

the Hebrews exceptionally omitted the celebration of the Day of Atonement in that year, is gratuitous (*Tsh. Moed Kat.* 9^a). — These remarks obviate possible objections to our results. — The arguments, or rather assertions, of Bähr against the late origin of the Day of Atonement are extremely weak (*Symb.* II. 695—698); he observes truly, "Nothing is so indissolubly connected with all the chief parts of public worship as that festival": all the chief parts of public worship, and the organisation of the hierarchy are indeed of equally late origin. *Movers* (*Phoen.* I. 368) dogmatically contends, that "the rites of the Day of Atonement belong to the time of Moses as indisputably as any other portion of the Pentateuch"; but he is biased in his arguments, for he vainly strives to identify Azael and Typhon, and to prove that both imply remnants of the old Phœnician Moloch worship; and he, therefore, refers the 16th chapter to early Egyptian influence (see notes on XVI. 6—10). — *Knobel* (*Lev.* p. 487) admits, that the celebration of the Day of Atonement before the exile

We may now attempt to trace the origin of the Day of Atonement down to its final and permanent introduction.

For a long time after the conquest of Canaan, the Hebrews, mainly engaged in agricultural pursuits, had, except the Sabbath and the Newmoon, no other festivals than those connected with the produce of the soil, that is, they had virtually none but harvest festivals. Three such celebrations were naturally suggested by the climate of Palestine — at the beginning of the corn-harvest, at its completion, and at the ingathering of grapes and other fruits; they were appropriately designated by the corresponding names of the Feast of the Ears of Corn¹², the Feast of the Harvest or of the First-fruits¹³, and the Feast of Ingathering¹⁴; and as the latter marked the termination of the agricultural year with all its labours, hopes, and results, it was described as being solemnised “at the end” or “at the revolution of the year”¹⁵. The Israelites kept these festivals chiefly with feelings of joy and gratitude, not unmixed with awe of that Power, in whose hands are plenty and famine. They presented, therefore, in addition to the firstfruits, *thank-offerings* and *holocausts*. Yet it can hardly be supposed, that every member of the community celebrated all the three festivals at the common Sanctuary; as a rule, each family seems to have visited the Tabernacle once a year, probably at the conclusion of the harvest or the vintage, and then to have offered up sacrifices and gifts, vows and prayers¹⁶.

When, in the course of time, the Hebrews developed and fixed their historical traditions, which they dated back, as much as feasible, to the age of Moses, they were anxious to connect them with the three great agricultural holidays, the regular recurrence of which seemed particularly fitted to perpetuate their remembrance. The great ver-

cannot be proved, but he adds vaguely, that it may yet “essentially” have been fixed by Moses, but was, like the ordinances concerning sacrifices and priesthood, never observed! How, in support of this view, “the age of the Elohist”, to whom Knobel attributes the 16th chapter, can be urged, is indeed surprising (comp. also *ibid.* pp. 529 *sqq.*, 541).

¹² פֶּסַח; comp. Exod. XIII. 4; XXIII. 15; XXXIV. 18; Deut. XVI. 1; see *infra* p. 274, note 4.

¹³ חַגְגֵּי הַקָּצִיר, Ex. XXIII. 16; XXXIV. 22; comp. Lev. XXIII.

10, פֶּסַח; Num. XXVIII. 26; later also called פֶּסַח הַקֹּדֶשׁ, Festival of Conclusion, see Comm. on Exod. pp. 453, 455; comp. *S. Cassel*, Aze-reth, in *Sunem* Part I.

¹⁴ חַגְגֵּי הַקָּצִיר, Exod. XXIII. 16; XXXIV. 22.

¹⁵ Exod. XXIII. 16 (חַגְגֵּי הַקָּצִיר); XXXIV. 22 (חַגְגֵּי הַקָּצִיר). — Two annual agricultural festivals were common amongst most ancient nations and tribes (compare *Knobel*, *Levit.* pp. 533, 534).

¹⁶ 1 Sam. I. 3, 21; comp. XX. 6; 1 Ki. XII. 32, 33.

nal festival was the first to be thus enriched in meaning and import; it became the great anniversary of the release from Egyptian thralldom, the Feast of Passover¹, or the Feast of unleavened Cakes², which names themselves were meant to recall remarkable incidents of that miraculous deliverance. It received those additions at an early time for various reasons. The *beginning* of the corn-harvest³ is, especially in a country of such varied conformation and climate as Palestine, not sufficiently marked and uniform to serve as a suitable epoch; nor is it in itself an occasion for rejoicing or a guarantee of abundance, as many anxious weeks follow till the final ingathering of the crops. It is, therefore, hardly surprising, that the historical significance of the festival should soon have outweighed its original or agricultural object, and that the names with which it is described refer more distinctly to the former than to the latter⁴. Yet the offering of a firstfruit sheaf of barley (חֶמֶץ) tended to preserve its primitive character in constant remembrance; it was occasionally even considered as a separate celebration apart from the Pesach and from the Feast of unleavened Cakes; and it may have imparted to Passover the name of Feast of the Sheaf (חֶמֶץ חֶמֶץ) ⁵.

It appears that the Hebrew legislator found no historical event to be fitly grafted upon the second great agricultural festival, the Feast of Harvest. This is in itself so important and so clearly defined that it seemed to require no additional support; it was also termed Feast of Weeks⁶, a name helping to prevent the obliteration of Passover as that agricultural festival from which the seven weeks down to the conclusion of the harvest were counted. Yet Jewish tradition, everywhere working out the Biblical notions, believed there was reason to assume that the Feast of Harvest coincided with the day of revelation on Mount Sinai, and thus established in this instance also a union of the natural and historical element, which

¹ חֶמֶץ חֶמֶץ, Exod. XXXIV. 25.

² חֶמֶץ חֶמֶץ, Exod. XXXIII. 15; XXXIV. 18; Deut. XVI. 16; Lev. XXIII. 6.

³ Deut. XVI. 9, חֶמֶץ חֶמֶץ חֶמֶץ.

⁴ The term חֶמֶץ חֶמֶץ does not even occur in the Old Testament; whether the word חֶמֶץ points to some cosmic origin of Passover, because celebrated at the vernal equinox, when the sun "passes over" into the sign of Aries, must be left undecided; such origin can certainly not be traced in the

Pentateuch (see Comm. on Exod. p. 184): the term διαβατήρια "the crossing or passing over" (*Phil. Lucull. 24*), which is used by Philo (*Vit. Mos. III. 29*; *De Septen. cc. 2, 18*), Eusebius (*Hist. Eccles. VII. 32*), and others, is simply a translation of חֶמֶץ.

⁵ Comp. *Philo, De Septenar. cc. 18—20*.

⁶ חֶמֶץ חֶמֶץ, Exod. XXXIV. 22; Deut. XVI. 9, 16.

was the more desirable at a time when, by the dispersion of the Jews, the former had entirely ceased to be applicable⁷.

With regard to the third great festival, the process of amalgamation, though very slow, was yet accomplished in the Biblical times. In Deuteronomy, that festival is designated, not as in the older code of Exodus, as "Feast of Ingathering", but as "Feast of Tabernacles"⁸; but it had evidently still its former meaning and none else, for it is explicitly described as being celebrated "when the corn and the wine are gathered in"⁹, which words correspond to "the end" or "the revolution" of the year; it was probably "the festival" *par excellence* (אֲדָרָה), as it took place when all the labours of the year were completed and all its rewards secured¹⁰. However, the new name, which is used in all the later historical Books¹¹, points at least to a new ceremony that had in the mean time been introduced — that of dwelling during the days of the festival in slight booths or tabernacles, temporarily constructed from the branches of thick or large-leaved trees, such as the myrtle, the palm- and the olive-tree¹². The custom arose probably out of the ordinary circumstances under which the fruit is usually collected in vine-yards and olive-groves; and the wealth and liberality of nature, to which man owes his sustenance, could not have been more suitably represented or acknowledged. But the new name and the new custom suggested a welcome historical meaning of the festival: in Leviticus, all native Israelites are earnestly commanded to live in tabernacles during seven days; and it is in Leviticus that this reason is for the first time assigned — "that your generations may know, that I caused the children of Israel to dwell in tabernacles when I brought them out of the land of Egypt"¹³. However, both this reason and the precise law concerning the various vegetable productions to be employed on the Festival¹⁴, originated many generations after the return of the Jews from the Babylonian exile; for in the time of Nehemiah, such a law was hardly known, and the practice differed from that prescribed in Leviticus¹⁵.

⁷ Comp. *Maim. Mor. Nev.* III. 43.

⁸ אֲדָרָה, Deut. XVI. 13; *Philo*, De Septenar. cc. 2, 24, ἡ τῶν ἐξηγησάτορ τῶν ἁπλῶν ἐξηγησάτορ.

⁹ אֲדָרָה אֲדָרָה אֲדָרָה.

¹⁰ Comp. 1 Ki. XII. 32, 33.

¹¹ 2 Chr. VIII. 13; Ezra III. 4; Zech. XIV. 16, 18, 19.

¹² Comp. Neh. VIII. 15.

¹³ Lev. XXIII. 42, 43.

¹⁴ Lev. XXIII. 40.

¹⁵ Comp. Neh. VIII. 15: three of the trees there named do not occur in Leviticus, which, on the other hand, has two productions not mentioned in that passage of Nehemiah; the concluding word of the verse אֲדָרָה "as is written" or "prescribed", viz. in the Law, is very strange, since we find in no part of the Law a pre-

But simultaneously with the historical; the inward and spiritual expansion of the Hebrew festivals was worked out. This expansion was the fruit of that growing conviction of the sinfulness of man, and of his need of expiation before a holy and perfect God, which is the main attribute of a pious frame of mind, and which, if manifested with earnestness and purity of purpose, invariably indicates the last and highest stage of religious life. We have on previous occasions attempted to describe this feeling of moral dependence and self-humiliation, as evinced in the Hebrew Scriptures, and especially in the Pentateuch¹; it was naturally fostered and strengthened by the misfortunes and struggles of the exile, which the guilty and remorseful conscience of the nation readily attributed to past iniquities²; and it gave rise to the *sin-offerings*, the latest development of the noblest class of sacrifices, those of expiation. As these grew in depth and popularity, they were associated with all festive and solemn days, and were superadded to the older holocausts and thank-offerings³. They could not, before the Babylonian exile, have been invested with the minute ceremonials and the subtle gradations specified in Leviticus⁴, as we have before proved; in the first Temple, they could not have been presented in the manner described by the levitical legislator, because that Temple had no curtain⁵ against which the blood could be sprinkled⁶; in fact, they attained their highest and final form only during the time of Zerubbabel's Temple. And the crowning stone of that religious edifice, which demanded the incessant labour of more than a thousand years, was the Day of Atonement as instituted in Leviticus. It combined, as in one focus, all the scattered rays of spiritualism which in successive periods had helped to dispel superstition and frivolity; and it kindled a flame of devotion which, if rightly directed, might well cleanse the heart from egotism and pride, and raise the mind from worldliness to a yearning after light and truth.

cept identical with that of Nehemiah — a difficulty which will be discussed in the notes on XXIII. 40. On the three harvest festivals in general see Comm. on Exod. pp. 458, 459.

¹ See Comm. on Levit. I. pp. 3, 249—251, 495, 496; comp. also Ps. XXXIX. 9; LXV. 4; CIII. 3 *sqq.*; Prov. XX. 9.

² Comp. Ezra V. 12; VIII. 6, 7; IX. 6 *sqq.*; X. 1 *sqq.*; Neh. I. 6, 7; VIII.

2; IX. 16—37; X. 32 *sqq.*; XIII. 18; Zechar. I. 2—6; Tob. III. 3 *sqq.*; Prayer of Azar. vers. 5 *sqq.*; Judith VII. 28; Bar. I. 13, 17—22; III. 1 *sqq.*; *Mishn. Taan.* II. 1; Yom. VIII. 9; etc.

³ See Num. XXVIII and XXIX.

⁴ Comp. especially chapt. IV and notes in loc.

⁵ See *supra*, p. 267.

⁶ Comp. Lev. IV. 6, 17.

Thus the vast circle was completed: the festivals of the Hebrews, like nearly all their institutions, had passed through three distinct phases — the natural or cosmic, the historical or commemorative, and the ethical or spiritual —, and they were by this process more and more enlarged, enriched, and refined. It is remarkable, that we are able to trace those three phases in the preserved fragments of Hebrew literature, and, what is even more interesting, that we can trace them in the Pentateuch itself.

The "Book of the Covenant" in Exodus⁷, which embodies the most important of the civil and religious laws, mentions, besides the Sabbath, only the agricultural festivals⁸ — "three times thou shalt celebrate a feast to Me in the year", and "three times in the year all thy males shall appear before the Lord God"; two of them are simply described as relating to husbandry, viz. the Feast of Harvest (חג הקציר) and the Feast of Ingathering (חג האסיף), while Passover, though stated to take place in the month of "the green ears of corn" (חדש תבואת הירוקה), is already designated as the Feast of unleavened Cakes (חג מצות), in reference to the exodus from Egypt⁹. No distinct directions are given with respect to the time and mode of celebration, except that the Feast of Ingathering is to be kept "at the end of the year", "when thou hast gathered in thy labours out of thy field"; and that, with regard to Passover, allusion is made to a previous injunction¹⁰.

At the renewal of the Covenant after the worship of the golden calf, the same principles are maintained¹¹: *three* festivals are commanded; all the laws are coupled with agriculture and its produce; even with respect to the Sabbath it is observed, "in the time of ploughing and of reaping thou shalt rest"; the names are the same as before, except that the Feast of Harvest is called the Feast of Weeks (חג שבועות) indicating its connection with Passover¹², and that the Feast of Ingathering is said to be kept at "the revolution of the year" (חג תבואת השנה), which is synonymous with "the end of the year". Detailed injunctions are wanting, as in the preceding ordinance.

The Book of Deuteronomy preserves essentially the same point of view¹³. It amplifies, rather than extends, the older statements. It is more fluent in language and more regular in arrangement, as may be

⁷ Ch. XX. 19—XXIII. 33; see Comm. on Exod. pp. 376 *sqq.*

⁸ Exod. XXIII. 14—17.

⁹ See *supra*, p. 274.

¹⁰ Exod. XXIII. 15 (חג המצות); comp. XII. 15 *sqq.*, 39; XIII. 5).

¹¹ Exod. XXXIV. 18, 21—23.

¹² See *supra*, p. 274.

¹³ Deut. XVI. 1—17.

expected from the literary advancement of the time; but it supplies no new materials. It attempts a fuller description and a kind of system; yet it knows no other than the three time-honoured agricultural festivals. It brings the celebration of these festivals into closer and more direct alliance with the national Sanctuary, or "the place which the Lord chooses to let His name dwell there"¹; but it assigns to them no higher meaning and gives no additional reason. It insists upon offerings and free-will gifts to be presented in the House of God; but it appoints them to be used for social and charitable, rather than purely religious purposes². As regards the names, there is but this difference that the Feast of Ingathering is termed the Feast of Tabernacles (מִצְוֵי תָבֵרַן), but this new name involves no change of meaning in the festival itself³.

In the middle portions of the Pentateuch — Leviticus and Numbers — we enter upon an entirely distinct phase. In those Books the festivals appear in their complete and final extension. We find in two passages a well-digested survey of all the sacred days in the year, together with a statement of their origin, their nature, and their mode of celebration by means of sacrifices and other rites⁴; and in addition to this, a special description is given of one day of peculiar sanctity⁵. Besides the Sabbath and the New-moon, the three ancient agricultural festivals are introduced; with respect to the Feast of Tabernacles, a historical is coupled with the natural reason — because the Israelites dwelt in booths during their wanderings in the desert; and in all instances, sin-offerings are added to the older holocausts. Then for the first time mention is made of two new festivals — "the Day of blowing the Trumpet" (מִצְוֵי תְּרִיבָה) or "a Memorial of blowing the Trumpet" (מִצְוֵי תְּרִיבָה), to be kept, as a day of rest (יָרֵחַ) and of holy convocation, on the first of the seventh month⁶, and "the Day of Atonement" (מִצְוֵי יוֹם הַכִּפּוּרִים) set apart for the most perfect rest (יָרֵחַ נֶפֶשׁ)⁷, for fasting, and the expiation of sins through the intervention of the High-priest⁸. The dignity and position in which this functionary here appears, and the rigid distinction made between "priests" and "Levites", which is not yet known to the Deu-

¹ Deut. XVI. 2, 6, 7, 11, 15, 16.

² Comp. vers. 10, 11, 14—17.

³ See *supra* p. 275.

⁴ Comp. Lev. XXIII and Num. XXVIII. XXIX.

⁵ Lev. XVI.

⁶ Lev. XXIII. 24; Num. XXIX. 1.

⁷ Lev. XVI. 31; XXIII. 32.

⁸ In Exod. XXX. 10 also, the Day of Atonement is mentioned or rather pre-supposed, "And Aaron shall make an atonement upon its horns once in a year with the blood of the sin-offering of atonement; once in the year shall he make atonement upon it throughout your generations; it

teronomist⁹, bespeak, like the sin-offerings, the very late origin of the whole ceremonial¹⁰.

Yet the introduction of the Day of Atonement can easily be understood; for it is essentially the institution of sin-offerings concentrated and intensified; days of general fasting and penitence were in all periods proclaimed on particular occasions, whether of public danger, misfortune, or guilt¹¹; and at least four such days were, from the beginning of the exile, kept as regular anniversaries, in mournful remembrance of the siege, the capture, and the destruction of Jerusalem, and of the final overthrow of the last remnant of independent nationality¹².

But how can we account for the origin, and explain the meaning of the "Day of blowing the Trumpet", which both in Leviticus and Numbers is so obscurely alluded to, that it almost appears as if

is most holy to the Lord"; but the section of which that verse forms a part (XXX. 1—10), and which clearly stands in a wrong place (since it ought to conclude ch. XXV), is acknowledged to be a very late interpolation.

⁹ See Comm. on Lev. I. pp. 598—600.

¹⁰ See on the very gradual rise of the office of High-priesthood, L. c. pp. 631—633.

¹¹ Comp. Judg. XX. 26; 1 Sam. VII. 6; XXXI. 13; 1 Ki. XXI. 9, 12; Jer. XXXVI. 6, 9; Joel. I. 14; II. 12, 15; Esth. IV. 3, 16, 17; Ezra VIII. 21; Neh. IX. 1; 2 Chr. XX. 3; 1 Macc. III. 47; Judith IV. 9, 13; see also 2 Sam. I. 12; XII. 16; 1 Ki. XXI. 27; Isai. LVIII. 3; Jer. XIV. 12; Jon. III. 5, 7; Ps. XXXV. 13; LXIX. 11; CIX. 24; Err. IX. 5; X. 6; Neh. I. 4; 1 Chr. X. 12; Judith VIII. 6; *Mishn. Taan.* I. 4—7; *Talm. Taan.* 26^a; Matth. IX. 14; Luke II. 37; XVIII. 12. The Essenes fasted during three, nay often during six successive days (*Philo*, Vit. Cont. c. 4). Justinus (XXXVI. 3), in the confused account he gives of the Jews, observes, that they fast every Sabbath (*septimum diem . . . in omne ævum jejunió sacravit*); which Jewish tra-

dition expressly forbids (*Mishn. Taan.* II. 10; comp. Judith VIII. 6; *Martial.* IV. iv. 7; *Sueton.* Aug. 76). In Exod. XXXIV. 28, and in Matth. IV. 2 and Luke IV. 2 (the 40 days of Moses on Mount Sinai, and of Christ in the desert), no proper or ordinary fasting is meant; nor in 1 Sam. I. 7, 8.

¹² Viz. (1.) In the *fourth* month (on the ninth day, when Jerusalem was taken; Jer. XXXIX. 2; LII. 6, 7; Zech. VIII. 19; later changed to the seventeenth day, the supposed date of the storming of Jerusalem by Titus; comp. *Talm. Taan.* 26); (2.) In the *fifth* month (on the seventh or tenth day, when Jerusalem was burnt and destroyed; 2 Ki. XXV. 8—10; Jer. LII. 12—14; Zech. VII. 5; VIII. 19; later changed to the ninth, the alleged day of the destruction of Jerus. by Titus; comp. *Jos. B. J.* VI. viii. 1, 5); (3.) In the *seventh* month (Zech. II. cc.; according to tradition the third day; see *Talm. Roah Hash.* 18^b; when the Jewish governor Gedaliah was murdered, 2 Ki. XXV. 25; Jer. XLII. 1; *Talm. l. c.*); and (4.) In the *tenth* month (on the tenth day, when the siege of Jerusalem commenced; 2 Ki. XXV. 1; Jer. XXXIX. 1; LII. 4;

its origin and its meaning had been intentionally veiled¹? We may answer these questions with some distinctness. From the preceding deductions it cannot be doubtful, that that festival was instituted in the post-Babylonian time. Now, when the Jews, after the establishment of the Persian rule, returned from the captivity, they so far conformed to east-Asiatic customs that they began the year, not as before, with the spring or the first month (Nisan), but with the autumn or seventh month (Tishri, p. 268). This change was carried out gradually and with some difficulty², since it stood in direct opposition to a distinct command of the Pentateuch³. But when it was once adopted, the first day of that month, or the New-year's day, was deemed to require some striking solemnity, and was, therefore, raised into a festival, just as Ezekiel, considerably more than a century before, when Nisan was still the beginning of the year, proposed a holy festival on the first and seventh day of that month⁴. A kind of historical support for this new institution may have been found in the memorable meeting, held on that day in the time of Ezra and Nehemiah, when the former read the Law to the people, and exhorted them to piety and rectitude⁵. Nor is it impossible, that the desire of having *seven* days of holy convocation during the year⁶, facilitated the introduction of an additional festival completing that number

Ezek. XXIV. 1, 2; Zech. VIII. 19; *Talm.* l. c.). It would be impossible to prove that these fast-days were established "simultaneously with the Day of Atonement" (so *George*, l. c. p. 294).

¹ Comp. Lev. XXIII. 23—25; Num. XXIX. 1—6.

² It took deeper root when the Jews, in common with all Syrians, adhered to the Seleucidic era (B. C. 312, *ἡμερῶν τῆς αἰῆς contractum*), which also commenced about the autumnal equinox, and which the Jews preserved till about A. C. 1000, when it gave way to the present era of the Creation of the World. Yet even in the first Book of the Maccabees, the years still commence with Nisan, though in the second Book with Tishri. The months also are, throughout the Old Testament, and even in the Books of the Maccabees, counted from Nisan (comp. 1 Macc.

IV. 52; X. 21; 2 Macc. XV. 36). But Philo (De Septenar. c. 19) describes Nisan as "the seventh month both in number and order, according to the revolutions of the sun, but the first in power" (*ἡβδόμος . . . ἀριθμῶς τε καὶ τάξει κατὰ τὸν ἡλιακὸν κύκλον, δυνάμει πρῶτος*); and Josephus (Ant. I. iii. 3) calls the second month when the Deluge began (Gen. VI. 11) Marcheshvan, and counts, therefore, from Tishri, but he may have done this with respect to events *before* the exodus, in reference to Exod. XII. 2.

³ Exod. XII. 2; see notes in loc.

⁴ Ezek. XLV. 18—20; see *supra* p. 268.

⁵ Neh. VIII. 1 *sqq.*; see *supra* p. 271; comp. also Ezra III. 1 *sqq.*

⁶ Viz. 2 on Passover, 1 on Pentecost, 2 on Tabernacles, 1 on the Day of Atonement, and 1 on New-year.

which the Hebrews almost uniformly associated with their religious ordinances⁷. The nature and import of the New-year's day were readily fixed. The commencement of a fresh period, with all the uncertainties it shrouds, with all the trials it may possibly have in store, was apt to call forth among a people like the Hebrews — so serious and so little sanguine, yet so impressionable and so easily awed — feelings of anxious anticipations, against which they struggled with prayer, self-humiliation, and expiatory sacrifice. This character was given to the New-year by Ezekiel in his ideal descriptions⁸, and it was greatly intensified when, in the course of time, the first day of Tishri was linked with the tenth; for then the New-year was considered as the commencement, and the Day of Atonement as the culmination of the penitential season extending over the significant number of *ten* days, of which the first and the last were signalised as particularly momentous⁹.

This is not the place to point out how eagerly later Judaism unfolded the precepts regarding those two days which, in holiness and solemnity, were raised infinitely above all other festivals of the year¹⁰. With respect to the Day of Atonement, the Pentateuch

⁷ Philo (De Septenar. cc. 2 *sqq.*) counts *ten* festivals — “ten being the perfect number” (τέλειος ἀριθμός) — adding to the five named in the preceding note “every day” (ἡμέρα πᾶσα), the Sabbath, the New-moon, and dividing the Passover into three distinct holidays — “the killing and eating of the paschal lamb” on the 14th day of Nisan, the “feast of unleavened cakes” from the 15th to the 22nd, and the offering of the first sheaf (ἀράμνα, ἄρῃ) on the 16th day: but this separation has no basis in the Bible. The פסח and מצות מצות were indeed originally two different phases of Passover, but the term פסח was not long restricted to the eating of the paschal lamb, but was used, like מצות מצות, for the entire festival (see Comm. on Exod. p. 181).

⁸ In Nehem. VIII. 9—12, elements of joy prevail in accordance with the peculiar circumstances of the time: when the Law was read, as there

stated, the first day of Tishri was not yet an appointed festival (for the reading was continued on the second day), though that fact may have helped to give rise to its introduction.

⁹ On the connection between the two days see *Talm. Rosh Hash.* 16^b (ר' הושע ר' הושע ר' הושע); *Maim. Mor. Nev.* III. 43, “New-year is like a preparation and introduction for the Day of Atonement.”

¹⁰ See *Talm. Rosh Hash. and Yoma; Orach chayim* §§ 581—624; etc. In the Pentateuch, the Day of Atonement is not exactly called “the greatest of the festivals” or “the most holy of the holy times”, as Philo (De Septenar. c. 23) observes; the term יום כיפור is also applied to the Sabbath (Exod. XXXI. 15; XXXV. 2; Lev. XXIII. 3), and to the Year of release (Lev. XXV. 4), and ירוח alone to the Sabbath (Ex. XVI. 23), New-year (Lev. XXIII. 24), Taber-

itself gave a strong proof of the singular importance which was attached to it very soon after its introduction; for it ordained, that on that day the Hebrews were to proclaim the year of jubilee with all its privileges and all its social changes¹. Later tradition, anxious to connect so holy a celebration with some remarkable event in Hebrew history, and thus to stamp it, like all other festivals, as a commemorative anniversary, contended that it was on the tenth day of Tishri that Moses, after having stayed forty days on Mount Sinai (for he is supposed to have gone up on the first of Elul), came down with the second tablets of the Law, and announced to the people God's gracious pardon for their worship of the golden calf².

The Jewish doctors and scribes might have looked with just pride upon the institution of the Day of Atonement, which testified to the vast progress that had been made in religious thought and theocratic organisation: we in our age, who view it by the light of so many new truths, indeed appreciate its spiritual depth and power, but we cannot help being astonished at finding, even in so late a period, the admission of a pagan element — the sin-laden goat sent into the wilderness to the evil demon Azazel — a fiction of Persian dualism and superstition, which almost counterbalances the value, and certainly dims the purity, of the other features of the ritual, and which should warn us not to accept any intellectual achievement of past times as final. The introduction of that element is so significant in its bearings and inferences, that it seems desirable to examine its origin, and to consider the organic relation in which it stands to kindred conceptions. This will be attempted in the following treatise.

nacles (XXIII. 39), and the Year of release (XXV. 5).

on the Feast of Tabernacles (comp. Deut. XXXI. 10).

² See Exod. XXXIV. 27—29; *Pirk.*

¹ Lev. XXV. 9; see notes *in loc.*
The Year of release (רמז) began

R. Eliez. c. 46; *Maim. Mor. Nev.* III. 43.



B. THE DOCTRINE OF ANGELS AND SPIRITS,
OR
THE MONOTHEISM OF THE BIBLE.

THE idea of one incorporeal and omnipresent God, "whom the heaven and the heaven of heavens do not contain", may have been fathomed by some profound and gifted minds among the Hebrews, but it proved too abstract and too refined for the mass of the people. At no period polytheism lost its hold upon the community, and the causes and conditions in which it rooted, though at times mitigated or modified, never ceased to operate. Even when the existence of one eternal Deity was acknowledged, a compromise with paganism was indispensable; and it was accomplished by the mythology of angels and spirits. These represented to the popular mind the visible manifestations of God's power, and its individual effects in nature and in human life; they revealed the Infinite in a finite form, and made it accessible to external perception; they clothed the spirit in a material form, and engaged the senses, if they did not fascinate the imagination. Though hardly remnants of old and degraded Hebrew idols¹, they may be regarded as the tribute by which idolatry was reconciled to Hebrew monotheism, and was prevailed upon to tolerate it. They were themselves the mystic ladder reaching from earth to heaven.

For according to the simple notions of the Bible, the earth is the centre of the universe, while heaven, with the sun and moon and the myriads of stars, is a canopy over the earth, and the abode of God, from whence He descends to visit the earth². Whenever He does

¹ Comp. *De Wette*, *Bibl. Dogm.* I. § 108. 1, 2, 17; etc.; see *Comm. on Genes.*

² Comp. *Gen.* III. 8; XI. 5, 7; XVIII. pp. 20—26.

descend, He appears in bodily shape, or as an angel, He and the angel being identical. Hence there was at first no distinction of good and evil angels; being all alike the organs of God's will, they were all good and holy¹; and they vanished when they had fulfilled their mission, to reappear when a new miracle of Divine intercession was to be wrought². In later times, the Hebrews abandoned a child-like conception which limits God in space, and makes Him corporeal almost like a heathen deity; but still desirous to establish a personal intercourse between heaven and earth, they conceived Him as the lord of angels, whom He sends in forms perceptible to mortal eyes, while He Himself remains in His celestial realms, an unchangeable spirit. Thus the notions concerning angels fluctuated and changed; and a clear result on this important subject can hardly be arrived at unless we distinguish and examine the literature of different periods, namely — (1.) the Canonical Books composed before the Babylonian exile; (2.) those compiled during or after it, together with the Apocrypha, and the works of Philo and Josephus; (3.) the New Testament; and (4.) the Talmud and the Rabbinical writings.

1. THE ANTE-BABYLONIAN TIME.

At an early period, the belief in spirits was introduced into Palestine from eastern Asia through the ordinary channels of political and commercial interchange. We find the Hebrews at all epochs familiar with angels in nearly all their varied qualities and functions. The angels are the "messengers" or "servants" or "sons" of God³, "exceedingly awful" in appearance and wonderful in attributes, endowed with more than human intelligence and wisdom, and conspicuous for more than human righteousness⁴. Though no mortal can see them without forfeiting his life, they present themselves on earth in human shape, wrestle with human beings, or taking them by the hand in times of danger, lead them away in safety⁵. They are therefore called "men"⁶; occasionally they share the human wants, and

¹ See *infra* ch. II.

² See Comm. on Lev. I. pp. 418 *seq.*

³ מַלְאָכִים, מַלְאָכֵי, מַלְאָכִים, מַלְאָכִים; Gen. VI. 2, 4; Job I. 6; II. 1; IV. 18; XXXVIII. 7; Ps. XXXIX. 1; LXXXIX. 7; Dan. III. 25; etc.

⁴ 1 Sam. XXIX. 9; 2 Sam. XIV. 17, 20; XIX. 28; Zech. XII. 8; comp. Gen. III. 5, 22. Whether Gen. I. 26 (מַלְאָכִים)

מַלְאָכִים and XI. 7 (מַלְאָכִים) imply angels, cannot easily be decided; comp. also Isai. VI. 8 (מַלְאָכִים).

⁵ Gen. XIX. 16; XXXII. 25.

⁶ מֶנֶם, מֶנֶם, Gen. XVIII. 2, 16, 22 (comp. XIX. 1); XXXII. 25 (where Targ. Jon. has מֶנֶם מֶנֶם); Josh. V. 13; Ezek. I. 5 (מֶנֶם); Zech. I. 8—10.

having connection with the daughters of men, they become the progenitors of hero- and giant-races⁷ — to which notions heathen mythology offers striking analogies⁸.

They are sent as God's representatives, whenever His holy and awful presence cannot be endured by sinful men⁹. We find — usually as *dei ex machina* — angels who help and protect¹⁰, save and redeem¹¹, and provide food for the forlorn and helpless¹²; who announce remarkable incidents and disclose the course of future events¹³; who console and comfort¹⁴, advise and direct¹⁵, and stimulate men to deeds of courage or heroism¹⁶; or who warn, reprove, and punish¹⁷. Angels inspire and teach prophets¹⁸, who are themselves called "angels" or "messengers of God"¹⁹, like the priests in later times²⁰.

Their number is infinite. They form the "camp of God", or are "His hosts", "His army"²¹, and "His mighty heroes"²². They belong to His celestial Court or "Council"²³, and surround His throne as His ministers or as the executors of His decrees²⁴. Hence their ordinary

⁷ Gen. VI. 2, 4 (where that intercourse is not, as in later writings, represented as iniquitous, or as the "fall of the angels"; comp. 2 Petr. II. 4; Jude 6, 7; Testam. Rub. c. 5; Hen. VI. 2—8; X. 11; XII. 4; XV. 2 *sqq.*; XIX. 1; LiV. 6; (see also Kurtz, Die Ehen der Söhne Gottes etc. 1857; Die Söhne Gottes in 1 Mos. VI. 1—4 etc. 1858); Gen. XVI. 13; XVIII. 2 *sqq.*; XIX. 1 *sqq.*; Judg. VI. 22; XIII. 6, 16, 18, 20, 22; comp., however, *infra*).

⁸ Comp. Herod. II. 143; see Preller, Griech. Myth. II. 4—6.

⁹ Exod. XXXIII. 2, 3; comp. XXXII. 34. Hence the later Rabbinical maxim *אֱלֹהִים יֵצֵא לְפָנֵינוּ* (*Talm. Shabb. 156*; etc.), that is, God entrusts the welfare of Israel not to a guardian angel (*מלאך*), but watches over it Himself; whenever He deviates from this rule, He does so to punish the Hebrews for disobedience or other transgressions (comp. *Talm. Berach. 7^a*; see *infra*).

¹⁰ Gen. XXIV. 7, 40; Ex. XIV. 19; XXIII. 20—23; XXXII. 34; XXXIII. 2; Ps. XCI. 1, 11, 12; comp. Gen. XXXII. 2, 3; 2 Ki. VI. 17.

¹¹ Gen. XLVIII. 16; Num. XX. 16; Ps. XXXIV. 8.

¹² 1 Ki. XIX. 5, 7.

¹³ Gen. XVI. 10—12; XVIII. 2; XIX. 1; XXII. 16—18; Judg. XIII. 3.

¹⁴ Gen. XXI. 17, 18.

¹⁵ Gen. XVI. 9; XXII. 11, 12; XXXI. 11.

¹⁶ Judg. VI. 11; 1 Ki. I. 15; comp. Josh. V. 14, 15, *וַיִּשְׁמְרוּ*.

¹⁷ Judg. II. 1, 4; V. 23; Ps. XXXV. 5, 6.

¹⁸ 1 Ki. XIII. 18; 2 Ki. I. 3; comp. Dan. VIII. 16.

¹⁹ Isai. XLIV. 26; Hagg. I. 13; Mal. III. 1, 23; Eccl. V. 5; 2 Chr. XXXVI. 15, 16; comp. Isai. XLII. 19; see also *Midr. Rab. Lev. I. 1* (*וְהָיוּ מַלְאָכָיו*); *ibid.* Num. XVI. 1; *Yalk. Shim. I. § 427 Lev. init.*

²⁰ Mal. II. 7; comp. *Midr. Rab. Num. XVI. 1* (*וְהָיוּ מַלְאָכָיו*).

²¹ Comp. the later designation *מַלְאָכָיו* של *מַלְאָכָיו* "the upper host" (family).

²² Comp. *וְהָיוּ מַלְאָכָיו*, Isai. XXXIII. 7; *וְהָיוּ מַלְאָכָיו*, Ps. CIII. 20.

²³ *וְהָיוּ מַלְאָכָיו*, Ps. LXXXIX. 8.

²⁴ Gen. XXVIII. 12; XXXII. 2, 3; Deut. XXXIII. 2; Josh. V. 14, 15; 1 Ki. XXII. 19; 2 Chr. XVIII. 18;

abode is in heaven¹, and God Himself is called the "Lord of Hosts"². Yet the term "host of heaven"³ means usually the stars⁴; for these were, especially in later times, looked upon as a well-organized army fighting the battles of God's favourites⁵, like the Fravashis or tutelary star-angels of the Persians⁶; or they were simply pictured as living and sentient beings, like the ζῶα λογικά of Plato⁷; they shouted and rejoiced when the world was created⁸, and they were filled with dismay when they beheld the devastation of the Holy Land⁹; they worship the glory of God¹⁰ and submit to His decrees¹¹; yet, not being spotless¹², they sometimes rebel against His sovereignty, and refuse to appear or to shine at their appointed times, for which offences they are kept fettered in a heavenly prison¹³.

There are "angels of peace" (מלאכי שלום), who feel pity and compassion, and weep bitterly at the sight of desolation and human misery¹⁴; there are the fiery Seraphim with six wings, who stand round God's throne in His celestial Sanctuary (מקדש), ready to execute His commands, and thus praising Him in alternating choirs, "Holy, holy, holy is the Lord of Hosts, the whole earth is full of His glory"¹⁵; and there are the Cherubim, symbols of God's presence¹⁶, the ministers of His

Isai. VI. 1—7; Job I. 6; II. 1; comp. Isai. XXIV. 21; Ps. LXXXIX. 7, 8; CIII. 20, 21; CXLVIII. 2; Dan. VII. 9, 10; Henoch I. 9; XIV. 22, 23; XL. 1; LX. 1; LXXI. 8, 13; Matth. XXVI. 53; Luke II. 13; *Philo*, De Somn. I. 22 (ἰερείαι καὶ ἀστροί).

¹ Gen. XXII. 11; Judg. XIII. 20; comp. Dan. IV. 10; Luke II. 15; XXII. 43; etc.

² מַלְאֲכֵי שָׁמַיִם or מַלְאֲכֵי שָׁמַיִם; 1 Sam. I. 3, 11; IV. 4; XV. 2; 2 Sam. V. 10; Ps. LXXX. 5, 8, 15, 20; LXXXIX. 9.

³ מַלְאֲכֵי שָׁמַיִם; Deut. IV. 19; XVII. 3; 2 Ki. XVII. 16; XXI. 3, 5; XXIII. 4, 5; Isai. XXIV. 21 (מַלְאֲכֵי שָׁמַיִם, comp. ver. 23); XL. 26; Jer. VIII. 2; XIX. 13; Zeph. I. 5; Ps. XXXIII. 6; Neh. IX. 6; comp. Job XXV. 5; Matth. XXIV. 29 (αἱ δυνάμεις τῶν οὐρανῶν).

⁴ Comp., however, 1 Ki. XXII. 19 (2 Chr. XVIII. 18, God sits on His throne, and at His right side stands מַלְאֲכֵי שָׁמַיִם); Ps. CXLVIII. 2 (where מַלְאֲכֵי שָׁמַיִם and מַלְאֲכֵי אֲדָמָה are parallel); Dan. IV. 32 (מַלְאֲכֵי שָׁמַיִם, in juxtaposition

with מַלְאֲכֵי אֲדָמָה); Luke II. 13 (στρατὶς οὐρανός); sometimes angels and stars are used promiscuously, as in Job. XV. 15 (where מַלְאֲכֵי שָׁמַיִם and כִּכְלִים stand in parallelism).

⁵ Judg. V. 20, מַלְאֲכֵי שָׁמַיִם וְכִכְלִים מִלְחָמָה וְכִכְלִים מִלְחָמָה.

⁶ *Boundehesch* c. 5; comp. *Spiegel*, *Avesta*, III. p. XXXI.

⁷ Comp. *Gesen.* Comm. über d. Jesaias, on XXIV. 21.

⁸ Job XXXVIII. 7, בָּרַךְ יְהוָה כִּכְלִים בְּקִי.

⁹ Isai. XXIV. 21, 23.

¹⁰ Nehem. IX. 6.

¹¹ Dan. IV. 32.

¹² Job XXV. 15; comp. XV. 15.

¹³ Henoch XVII. 13—16; comp. Jude 13, ἀστροί καὶ ἀνέμους; Job XXXVIII. 31, מַלְאֲכֵי שָׁמַיִם וְכִכְלִים יִשְׁתַּחֲוּוּ.

¹⁴ Isai. XXXIII. 7.

¹⁵ Isai. VI. 1—7.

¹⁶ Exod. XXV. 18—20; XXVI. 1; 1 Ki. VI. 23—28; VII. 29; therefore one of His attributes is מַלְאֲכֵי שָׁמַיִם; 1 Sam. IV. 4; 2 Sam. VI. 2; Isai. XXXVII. 16.

power and will, and the guardians of the unapproachable paradise¹⁷. On the other hand, we have angels of death (מַלְאָכֵי מוֹת) ¹⁸ and angels of revenge or punishment¹⁹, a destroying angel (מַלְאָכֵי הַמָּוֶת) who spreads pestilence²⁰, a "deceiving angel" who misleads prophets as a "lying spirit"²¹, and Satan himself (שָׂטָן), the wily tempter, who in the form of the serpent enticed the first couple to disobedience, and thus robbed them of a deathless existence of innocence and happiness²².

It would be unwarranted to distinguish between "the established belief of the Hebrews" and "popular superstition"²³; we have no means of fixing the boundary line between both; we must consider the one to coincide with the other, or we should be obliged to renounce all historical enquiry. The belief in spirits and demons was not a concession made by educated men to the prejudices of the masses, but a concession which all — the educated as well as the uneducated — made to pagan polytheism.

2. THE POST-BABYLONIAN TIME.

When the Jews, ever open to foreign influence in matters of faith, lived under Persian rule, they imbibed among many other religious views of their masters, especially their doctrines of angels and spirits, which, in the region of the Euphrates and Tigris, were most luxuriantly developed. The old notions were indeed partially retained²⁴, but they were also modified, enlarged, and infinitely multiplied. From this time, the angels, never again identified with God, assume a greater independence, display a more busy activity as instruments in the government of the world, and appear in regular gradations of rank and dignity; and some of them are specially

¹⁷ Comp. Ps. XVIII. 11; Gen. III. 24; see Comm. on Exod. p. 480.

¹⁸ Prov. XVI. 14.

¹⁹ Ps. XXXV. 5, 6.

²⁰ 2 Sam. XXIV. 16, 17; 2 Ki. XIX. 35; Isai. XXXVII. 36; 1 Chr. XXI. 12, 15; 2 Chr. XXXII. 21; comp. Sir. XLVIII. 21; 1 Macc. VIII. 41; 2 Macc. XV. 22; 3 Macc. VI. 5.

²¹ 1 Ki. XXII. 19—22.

²² Gen. III. 1 *sqq.* (see Comm. on Gen. pp. 123, 124); comp. 1 Sam. XXIX. 4; 2 Sam. XIX. 23; 1 Ki. V. 18; XI. 14, 23, 25.

²³ So, *f. i.*, *Colln.*, Bibl. Theol. I. 198, 199; II. 73, 231; etc.

²⁴ Comp. Isai. XXIV. 21; LXIII. 9 (מַלְאָכֵי הַמָּוֶת); Ps. LXXVIII. 18; LXXXVIII. 49; LXXXII. 1; LXXXIX. 7, 8; CIII. 20, 21; CIX. 6; CXLVIII. 2; 1 Chr. XXI. 1; Zech. I. 8 *sqq.*; III. 1—3; IV. 4; XII. 8; XIV. 5; Mal. III. 1 *sqq.*; Dan. III. 25; IV. 10, 14; VII. 9, 10; VIII. 16; XV. 15; Sir. XLV. 2; Baruch VI. 7; Song of Three Holy Children, vers. 26, 27; Susan. vers. 55, 59; 2 Macc. XV. 23: see the notes *supra passim*.

distinguished by names, which the Jews themselves admit to have borrowed from their heathen rulers, like the names of the months¹. The best and purest of the angels possess Divine intelligence², and act as God's stewards and delegates on earth³, or as "ministering angels" (מַשְׁכָּלִים), like the Persian *Jazatus* or *Izeds*⁴. They perform by God's direction the work deemed beneath His greatness or holiness, such as the creation of sinful men, and the punishment of the wicked which would not become the Lord of mercy. They are the mediators and arbiters⁵ between heaven and earth, since men, never completely purified, must dread to approach the Divine presence. As "interceding angels" (מַלְאָכֵי הַשְׁמַיִם) they teach and guide the pious, bring their supplications before the celestial throne, and bear witness to all virtuous deeds⁶. Their chief is Mittron or Metatron⁷, corresponding to the Persian *Mithra*, the mediator between eternal light and eternal darkness; he is the embodiment of Divine omnipotence and omnipresence⁸, the guardian of the world⁹, the instructor of Moses¹⁰, and the preserver of the Law, but also a terrible avenger of disobedience and wickedness¹¹, especially in his capacity as supreme judge of the dead.

There are seven chief or arch-angels created from the beginning¹², and they harmonise with the Persian *Amshaspands* (*Ameshaçpentas*), the immortal overseers of the world, conceived in accordance with the seven chief councillors at the Persian court, who were the only persons privileged to appear at pleasure before the great king¹³. Four of them, standing on the four sides of God's throne, and from thence

¹ *Talm. Jer.* Rosh Hash. I. fol. 56^b ed. Krotsch. (דְּבָרֵי הַשָּׁמַיִם הֵם הַחֳדָשִׁים); *Midr. Rabb. Gen.* XLVIII. 9.

² Οἱ τοῦ θεοῦ λόγιοι.

³ Ὑποδιδάκοντες, πρεσβευταί, ἑπαρχοί.

⁴ I. e. worthy of sacrifice; comp. *Talm. Rosh Hash.* 24^b.

⁵ Μεσῖται καὶ διατρίβου.

⁶ Comp. *Job* XXXIII. 23; *Zech.* I. 12—14; *Tobit* XII. 12—15; *Philo*, *De Gigant.* cc. 3, 4; *De Plant.* c. 4; *De Confus. Ling.* cc. 35, 36; *De Migr. Abr.* cc. 22, 23; *De Mundo* c. 3; *Porph. Abst.* II. 38.

⁷ מִטְרֹן, מֵטַטְרֹן.

⁸ *Talm. Sanh.* 38^b, מֵטַטְרֹן הוּא הַשָּׁמַיִם.

⁹ מֵטַטְרֹן הוּא, *Talm. Sanh.* 94^a.

¹⁰ Though this office is attributed

to other angels also, as Michael (*Yalk. Shim.* I. § 940, fol. 304 vol. 2, מִיכָאֵל בֶּן יְהוֹשֻׁעַ בֶּן יְהוֹשֻׁעַ), or Sagnugael (*Targ. Jon.* on *Exod.* III. 2, and *Menach. Rakan.* in loc.).

¹¹ He was supposed to be meant by the severe and unpardoning angel who accompanied the Hebrews in the desert instead of God (*Ex.* XXIII. 21; *Talm. Sanh.* 38^b; comp. *Albo*, *Ikkar.* II. 28; see also *Hengstenb. Christol.* I. pp. 239—245).

¹² מִשְׁכָּלֵי הַשָּׁמַיִם, *Dan.* X. 13; XII. 1; ἀρχάγγελοι, 1 *Thesa.* IV. 16; *Jude* 9.

¹³ *Esther* I. 10, 14; *Herod.* III. 84; comp. 1 *Ki.* X. 8; 2 *Ki.* XXV. 19; see *Kohut*, *Jüd. Angel.* pp. 21—23.

sent forth on their missions to the four quarters of the world, are singled out as "princes of the angels of the Divine presence"¹⁴, and entrusted with clearly defined duties. They are not only the holy protectors or watchful "guardians" of individuals¹⁵ — the Persian *Fervors* or *Fravashis*, or human souls¹⁶ — but they are also the defenders of communities and empires¹⁷; appearing, like the Homeric gods, as blooming young men¹⁸, they accompany their favourites, Mentor-like, on dangerous voyages to distant lands¹⁹; and they come to assist the Hebrews or to terrify their enemies²⁰.

They usually bear the names of Michael, the patron of Israel²¹; Gabriel, the interpreter of visions and the keeper of Paradise; Uriel, the Lord of light and fire and the heavenly luminaries; and Raphael, the great healer²². Yet, as is natural in popular fancies slowly, if

¹⁴ עֲרָאֵל עֲרָאֵל עֲרָאֵל; comp. Isai. LXIII. 9.

¹⁵ Comp. Gen. XLVIII. 16, עֲרָאֵל עֲרָאֵל עֲרָאֵל עֲרָאֵל עֲרָאֵל עֲרָאֵל.

¹⁶ Dan. IV. 10, 14, 20, עֲרָאֵל (comp. Henoch XII. 2, 3; XX. 1, "the holy angels that watch"; even the fallen angels are called "guardians of heaven" or "holy guardians", Hen. I. 5, 10, 12, 15; XII. 4; XIV. 1, 3; XV. 9; XVI. 1, 2; as the prophets are designated עֲרָאֵל or עֲרָאֵל, Isai. XXI. 11, 12; LII. 8; LXII. 6; Jer. VI. 17; etc.); Symm. and Aquil. ἐγρηγόροι; this became, in later times, the usual designation of angels among Christian writers, and it partly coincides in meaning with Amesha-spen-tas, that is, "the holy ones that never sleep" (comp. Bopp, Vergleich. Gram. § 45); עֲרָאֵל and עֲרָאֵל are generally coupled; the עֲרָאֵל seems certainly to denote angels of higher rank and position, and to form a heavenly council (comp. Lengerke on Dan. IV. 10, pp. 164—170, 176, 177).

¹⁷ Dan. X. 13, 20, 21; Acts XII. 15; Revel. I. 20; etc.; comp. Herod. VII. 53; Hesiod. Op. et Di. 250 sqq.; Apulej. De Dogm. Plat. Lib. I. med. (p. 155 ed. Nisard).

¹⁸ Comp. Jos. Ant. V. vi. 2 (εὐαγγέλιον μορφῆς); VIII. 2, 3 (εὐαγγέλιον καλῶ

παραλήστος καὶ μεγάλων); comp. Ezek. IX. 2; Zech. I. 8; Dan. VIII. 15; IX. 21.

¹⁹ Dan. XII. 15 sqq.; Tobit III. 17; V. 4, 21; IX. 5; XII. 12—19; Wisd. XVI. 20.

²⁰ 2 Macc. III. 24—26, 33, 34; X. 29, 30; XI. 6, 8, 10; 3 Macc. VI. 18; comp. 2 Ki. VI. 17.

²¹ He is designated עֲרָאֵל עֲרָאֵל ἐν τῷ ποταμῷ, and is parallel with the Persian Vohumanō, "Ahura's first masterpiece"; comp. Kohut l. c. p. 24.

²² Comp. Talm. Yom. 23^a; Derech Erets c. 4 (sect. עֲרָאֵל עֲרָאֵל); Origen. in Num. Hom. XIV. 2 (officium Raphaelis qui medicinae praeest); Volkmar, Das vierte Buch Esra, p. 12 ("Uriel ist der Abglanz des Urlichtes, das in die irdische Nacht leuchtet"). Raphael is also called עֲרָאֵל "he who causes disease to disappear"; Talm. Berach. 51^a; see Tobit II. cc.; Zech. III. 9; IV. 10 (where עֲרָאֵל is not to be changed into עֲרָאֵל "guardians", comp. III. 9 עֲרָאֵל); Dan. VIII. 16; IX. 21; X. 13, 21; XII. 1; 2 Esdr. IV. 1, 36; V. 20; 4 Esdr. IV. 1; V. 20; X. 28; Luke I. 19; 1 Thess. IV. 16; Jude 9; Revel. IV. 5; VIII. 2, 3; XII. 7; Henoch. IX. 1; XXI. 9; XXVII. 2; XXXIII. 3; XL. 2—10; LXXV. 3, 4; LXXXVII. 2, 3; XC. 21, 22; etc.;

ever, fixed as dogmas, the names fluctuate; for the latter two are promiscuously given as Urjân and Surjân¹, or as Raphael and Phanuel (פִּנְחֵל)²; or other archangels besides those four are mentioned by name³; and occasionally no more than six are counted, to whom God Himself is added to make up the holy number of seven⁴; just as Ormuzd is sometimes simply one of the seven prince-angels or Amshaspands, a created being with bodily form, and an emanation of the first principle of all things, the Zeruane-Akerene, but sometimes the all-powerful creator of the universe and of the other six Amshaspands, and the revealer of all heavenly wisdom⁵.

They are invested with fanciful attributes, by which they appeal to the imagination, and by which they may be identified. As agents of Divine punishment, they hover between heaven and earth holding in their hand a drawn sword⁶. They are clothed in priestly linen⁷, and girt with a belt of the finest gold. Their body is like chrysolite, and their arms and feet resemble polished brass; their head is surrounded by a resplendent halo, their face flashes like lightning, and the sound of their voice and of their wings is as the din of a vast multitude, or as the noise of mighty waters⁸. They ride on horseback, in complete armour of glittering gold and precious stones⁹; or they dart

comp. Ezek. IX. 2; *Targ. Jon. Gen.* XI. 7, 8; *Pirk. R. Eliez.* c. 4; *Midr. Rabb. Exod.* XVIII. 2.

¹ Identical with Urjâl כִּרְיָא and Surjâl כִּרְיָא, / and a being interchanged.

² Comp. Henoch IX. 1; X. 1; XI. 9; LIV. 6; LXXI. 8, 9, 13; *Talm. Berach.* 51^a.

³ As Raguel (רָגוּל) and Sarakiel (סַרְקִיֵּל, Henoch XX. 4, 6), and others (4 *Redr.* IV. 36; *Targ. Jon. Deut.* XXXIV. 6).

⁴ Comp. Ezek. IX. 2 *sqq.*

⁵ Comp. *Rhodes*, *Heil. Sage*, pp. 315—317; *Spiegel*, *Zend-Avesta*, Einleit. p. VII. — Other names of angels occur, as אֶרְדֻיָּא or אֶרְדֻיָּא (Pers. Areduyáo), the angel of rain (*Talm. Yom.* 21^b; *Taan.* 25^b), and אֶרְדֻיָּא, the angel of hail, who was anxious to extinguish the flames of the furnace into which the three friends of Daniel had been thrown (*Talm. Pesach.* 118^b); אֶרְדֻיָּא,

who appeared to Moses in the burning bush (*Targ. Jon. Ex.* III. 2), and אֶרְדֻיָּא who, with Michael and Gabriel, was engaged at the death and burial of Moses (*Midr. Rabb. Deut.* XI. 5); אֶרְדֻיָּא and אֶרְדֻיָּא, who came down to the earth and consorted with the daughters of men (*ibid.*; see notes on XVI. 6—10); comp. Henoch VI. 7; LXIX. 2; *Talm. Pesach.* 111^b; *Gitt.* 31^b.

⁶ 1 Chr. XXI. 16, 30; *Susan.* vers. 55, 59; comp. *Num.* XXII. 23; *Jos. Ant.* VII. xiii. 3.

⁷ See Comm. on Lev. I. pp. 531, 532.

⁸ Ezek. I. 7, 18; IX. 1—3, 11; XI. 3; Dan. X. 5, 6; XII. 6, 7; 3 Macc. VI. 18; Henoch XXXVIII. 4; LVIII. 3—6; LXI. 1; LXXI. 1; *Yalk. Sh'm.* II. § 925; comp. *Ps.* CIV. 2; *Matth.* XXVIII. 3; *Mark* XV. 5; *Luke* II. 9; XXIV. 4; *Acts* X. 30; *Revel.* I. 13—16; X. 1.

⁹ 2 Macc. III. 25; X. 29; XI. 8; comp. V. 2—4.

through the air "on the swift wings of the wind", and flit unchecked through the universe¹⁰. Yet, on the other hand, their bodily frame is purely ethereal or spiritual¹¹; they see, but are not seen; they require no food, for they subsist upon the radiant beams of God's glory, although they sometimes *appear* to take sustenance during their earthly missions. They are exempt from sin and passion, and subject to no human desire and temptation. They live for ever, and work joyfully in unison and peace, free from hatred and envy. Imbued with God's light and truth, they are initiated into all knowledge and all secrets of the future¹². The visions of Ezekiel describe agile and fiery Cherubs and Chajoth (חַיִּוִּת), and Ophannim (אֹפַנִּיִּם), that is, wheels of chrysolite, closely following the movements of the Cherubs and Chajoth, whose spirit is in the wheels: they are hardly angels, but rather emblematic creatures typifying the rapid approach of God, and enveloped in a blaze of fire like bright amber (חֲמָטָה), or like torches and the glare of lightning; they are provided with four wings and four faces, the face of a man, of a lion, an ox, and an eagle; and they possess straight feet walking onward without turning, and eyes everywhere, with which they see in all directions¹³.

Then the evil spirits also were considerably multiplied, and, though at first mentioned only as strange and isolated beings, they were soon brought into relation with established dogmas, and at last formed an essential part of an enlarged religious system. They are either designated by the general terms of "lords" (אֲדֹנָיִם)¹⁴, "wicked

¹⁰ Bel and Drag. 36; *Aroth R. Nathan* 37 (חַיִּוִּת וְחַיִּוִּת דִּי שָׁמַיָא); comp. 1 Ki. XVIII. 12; 2 Ki. II. 16; Dan. IX. 21.

¹¹ Whence Josephus calls them usually πνεύματα (Ant. I. xx. 1; V. vi. 2; VIII. 2; etc.; so also Wisd. XVII. 4, 15); and Maimonides (Yesod. Hattor. II. 3) attributes to them בְּלִיָּה בְּלִיָּה, without נִשְׁמָה; comp. Mor. Nev. I. 49.

¹² Tobit XII. 19; *Targ. Jon. Gen.* XVIII. 8 (חַיִּוִּת לִי אֶתְּרָה); *id.* XIX. 3; *Henoch* XV. 3 *sqq.*; *Matth.* XXII. 30; *Luke* XX. 36; *Joseph. Ant.* I. xi. 2 (ὁδὲν ἡπείσθησαν ἐκ τούτων); *Philo, De Abrah.* c. 23 (ἐπεὶ καὶ θεῖαι φέρεται); *De Plant.* No. c. 4 (ψυχῶν θείων δυνάμεων); *De Confus. Ling.* c. 34; *De Somn.* I. 22; see also *Av. R. Nathan*

c. 37; *Talm. Chag.* 14—16; *Bab. Mets.* 86^b; *Midr. Rabb. Gen.* XLVIII. 12 (אֵין יָד יָדָהּ שִׁלֵּם בְּהִלָּה); LIII. init., 1; *ibid.* Exod. XXIII. 2, 3; *ibid.* Lev. XXIV. 3; *ibid.* Num. XXI. 7 (חַיִּוִּת הֵם בְּיָמֵינוּ); *Talk. Shim.* § 1071 (ad *Nehem.* IX. 6); *Albo, Ikkar.* II. 28. In *Wisd.* XVI. 20 manna is called "angels' food"; and the Sept. renders in *Ps.* LXXXVIII. 25 לִבָּם אֲנִיִּים by ἀπὸν δυνάμεων.

¹³ *Ezek.* I. 4—21; X. 9—17; *XII.* 18—20; comp. *Pirk. R. Eliez.* c. 4; *Talm. Rosh Hash.* 24^b.

¹⁴ Jewish writers connect אֲדֹנָיִם with נִשְׁמָה, and explain "spirits whose abodes are in deserted places" (בְּמִקְוֵה שָׁמַיָא); comp. *Nachman. on Lev.* XVII. 7).

spirits¹, "demons" or "devils" (δαίμονια) — the Persian *Devs*² —; or they bear more specific appellations, as "he-goats" (שְׂעִירִים or satyrs), whom they were fabled to resemble either in appearance or lasciviousness; Lilith (לִילִית), supposed to massacre children which she waylays by night; or Alukah (אַלּוּכָה), the blood-sucking female Vampire lurking in ambush for lonely travellers; or they are introduced as dancing goblins haunting deserts and dismal solitudes, which they fill with their wild shrieks and their ghastly revelries, and as malignant fiends to be propitiated by sacrifices, and even by holocausts of children³. We have the voluptuous Asmodeus, later raised to the rank of prince of demons⁴, famous for his relentless jealousy, and yet capable of being subdued and chased back to his native wilderness⁵. We see, above all, Satan rise to greater and more perilous eminence both with regard to his power and the diversity of his functions. While his name is not even mentioned in the ante-Babylonian writings — though he is active at the Fall of man —, he plays in later works a most important and an obtrusively busy part. He is "the enemy" *par excellence*⁶. He is not only the cunning tempter⁷, but the mischievous accuser, eager to bring men's guilt before the throne of God⁸. As he grows in daring and presumption, he comes forward as the traducer of the High-priest Joshua, and even ventures to oppose the angel of the Lord⁹. He is the ever active originator of human sin and impiety, and is, therefore, under the name of Azazel, included in the expiatory ritual of the Day of Atonement¹⁰.

¹ Tob. VI. 7, πνεύματα πονηρά.

² *Sept.* and *Vulg.* Deut. XXXII. 17; *id.* XCVI. 5; *id.* CVI. 37; *id.* Isai. LXV. 11, where שְׂעִירִים, שָׂטָן, and -ים are rendered by δαίμονια, demons being considered as heathen idols (see *infra* sect. III., p. 301; Bar. IV. 7; Hen. XIX. 1).

³ See Lev. XVII. 7, and notes in loc.; Deut. XXXII. 17; Isai. XIII. 21; XXXIV. 14; Ps. CVI. 37; 2 Chr. XI. 15; Sir. XXI. 27; Baruch IV. 7, 35; Henoch XL. 7; LXV. 6; comp. *Targ.* Ps. XII. 9; Matth. XII. 43; Luke XI. 24; 1 Cor. X. 20; Rev. IX. 20; *Maimon.* Mor. Nev. III. 30; see Comm. on Lev. I. 368, 374; *Höflemann*, Neue Bibelstudien, pp. 343—364.

⁴ See *infra* sect. IV.

⁵ Tob. III. 8; VI. 14, 15; VIII. 3.

⁶ שָׂטָן, everywhere with the article, except in 1 Chr. XXI. 1, while in the parallel passage 2 Sam. XXIV. 1 שָׂטָן stands instead of שָׂטָן (arab. الشيطان, syr. ܫܬܐܢ, etc.); comp. Ps. CIX. 6.

⁷ The verb שָׁטַן is usually *to incite* (2 Sam. XIX. 23; comp. 1 Chron. XXI. 1, שָׁטַן); but it occurs also in the sense of *resisting* or *checking* (Num. XXII. 22, 32).

⁸ Job I. II, where Satan is by no means a good angel, employed as overseer over the moral conduct of men; comp. *Hengstenb.* Christol. I. 35, 36.

⁹ Zech. III. 1, 2.

¹⁰ See *infra*, and notes on XVI. 6—10.

This remarkable advance in demonology cannot be surprising, if we consider that the Persian system known as that of Zoroaster, and centring in the dualism of a good and evil principle¹¹, flourished most, and attained its fullest development, just about the time of the Babylonian exile. The Jews were sufficiently prepared for the partial adoption of that system by their current views of saving and destroying angels; and they could readily familiarise themselves with the Amshaspands and the Devs, the one the creatures of the beneficent Ormuzd (Ahuramazda), the others those of the pernicious Ahriman (Agromainyus). Now we find this heathen dualism nowhere expressed with greater plainness than where we should least expect it — in the ordinances regarding the Day of Atonement, which enjoin, that "Aaron shall cast lots upon the two goats, one lot for the Lord, and the other lot for Azazel"¹². "The Lord" and "Azazel" stand in clear contradistinction. Even if the exact functions of Azazel should never be ascertained, the position which he was supposed to occupy in the moral world cannot be mistaken. Compelled to shun the cheerful life of towns and communities, and to withdraw to dreary and deserted regions, he yet lures men to transgression and offence, disturbs their inward peace, and tries to undermine their happiness. In order to indicate, that harmony of mind has been restored, the sins of the Israelites, symbolically transferred upon the head of a goat, are sent back to him who occasioned them; and thus removed from the hallowed abodes of God's people, they remain for ever associated with the evil demon and his native wilderness.

So far the Hebrew rites agree with the pagan fiction, and they are indeed at variance with a pure and rational creed. But they follow their prototype no farther, and do not essentially forsake the path of monotheism. The goat was no sacrifice presented to Azazel, no offering meant to appease his wrath¹³; it was not slaughtered, but left in the desert — somewhat cruelly — to its fate¹⁴; it did not work the atonement of the people, which was effected solely by the blood

¹¹ See Comm. on Gen. pp. 53, 54, 87, 88.

¹² Lev. XVI. 8.

¹³ So, f. i. *Movers* (Phoenix. I. 369), who inappropriately compares the expiation of the Egyptians in times of pestilence or drought (*Phil. Is.* 78; see *Hengstenb. Mos. und Aegypten*, pp. 169 *sqq.*, "the notion of a sin-offering pre-supposes holiness and

hatred of sin on the part of the being to whom it is presented".

¹⁴ In later times, it was hurled down a rocky precipice (*Mishna. Yom. VI. 6*; see notes on XVI. 6—10): then at least the Hebrews did not believe, that "Azazel, the executor of Divine judgments, would inflict due punishment on the vicarious goat sent to him into the desert" (*Movers l. c.*).

of the second goat killed as a sin-offering¹; it served, in fact, merely as a symbol of complete removal. Azazel himself possesses no independent power; his anger cannot harm, and his favour cannot grant pardon; he is not approached with prayers or lustrations; he is reckoned of no account, and in the hands of God alone is remission of sins. Although, therefore, Azazel and his goat are in themselves a stain on the levitical legislation, they do not taint the main principle of Judaism — God's absolute and undivided sovereignty.

The same remarks apply to all the angels and spirits of the Old Testament. These are completely subordinate to the dominion of the Deity; they have no more authority than is entrusted to them by God for special purposes; they are devoid of all personal weight and influence; they serve the one omnipotent Lord as His ready instruments; and to Him they are bound to offer praise and glorification². Occasionally indeed they represent the powers of the physical world — "He makes the wind His messengers (angels), the flaming fire His servants"³; yet they are not personifications of nature. Nor are they ever deified or invoked, whether as cosmic forces or as saints⁴: their worship is not expressly forbidden, because it is excluded by the first two Commandments⁵. Though they divided, they never shared the majesty of God. Their position of dependence is expressed in their very names. They are neither deities nor Divine emanations, but created by God like men, and not begotten by Him, as has been vainly inferred from the appellation "sons of God" (בְּנֵי אֱלֹהִים); yet not even their creation is mentioned in the Hebrew Scriptures, for there is no place for them in the Hebrew cosmogony⁶.

They are indeed the "holy ones"⁷; yet in the searching light of God they are not exempt from moral failings⁸. They are not all-

¹ Vers. 15, 16.

² Ps. XXIX. 1; CIII. 20, 21.

³ Ps. CIV. 4; comp. CXLVIII. 8.

⁴ Job V. 1; comp. Deut. IV. 19; XVII. 3.

⁵ Comp. Ex. XXII. 19; Deut. IV. 35, 39: the interdiction is not implied in the command to abstain from paying homage to the "host of heaven" (Deut. IV. 19; XVII. 3), for here this term denotes the sidereal bodies and nothing else; see p. 286.

⁶ It is certainly not implied in the words עֲרַךְ לוֹ (in Gen. II. 1), which

merely summarise the detailed account of the first chapter, and add no new element. As regards Rabbinical speculations see *infra*.

⁷ מַלְאָכָיו, רִשְׁפֵּי, אֱלֹהִים, יְסֹפִים; Ps. LXXXIX. 6, 8; Job V. 1; XV. 15; Zech. XIV. 5; Dan. IV. 10, 14, 20; VIII. 13; Tob. VIII. 15; XI. 14; Sir. XLV. 2 (where angels, and not priests, are meant); Hen. XII. 2; XX. 1, 4; LXI. 10; *Targ. Jon.* and *Jerus. Deut.* XXXIII. 2, 3; etc.

⁸ Job IV. 18; XV. 15; comp. 1 Cor. VI. 3, "Know you not that we shall judge angels?"

powerful, and Jacob, wrestling with his celestial opponent, gained the mastery⁹. They cannot accept Divine honours: thus the angel who appeared to Manoah and his wife deprecated sacrifices, and said, "If thou wilt offer a burnt-offering, thou must offer it to the Lord"¹⁰; the angel Raphael, in much later times, impressed upon Tobit, "Not of any favour of mine, but by the will of our God I came, wherefore praise Him for ever"¹¹; and the Talmud and the Midrashim unswervingly clung to the same views¹². The angel charged to lead the Hebrews into Canaan, was indeed to be revered and implicitly obeyed, and he pardoned no rebellion; yet he was himself powerless, and he derived all authority from God, whose "name was in him"¹³. The destroying angel was simply an instrument of God, who commanded him when to deal perdition, and when to stay his hand¹⁴. The serpent, fatal to the first couple, could tempt and mislead, but it had submissively to bear God's curse and retaliation¹⁵. In the time of king Ahab, the "lying spirit" proposed to create confusion, but he received his mandate from God, "Thou shalt deceive and prevail, go forth and do so"¹⁶. Satan himself, though looking with fiendish envy upon Job's piety and happiness, was unable to disturb the one or destroy the other; charged by God with the strictest commands which he dared not to overstep, he was obliged to render a regular account of his actions; and baffled in his schemes, he had no share whatever in deciding Job's ultimate fate; in a word, he waged war against Job, but not against God. When he attempted calumny against the High-priest Joshua, he was resisted and curbed by the Divine malediction¹⁷. He appears, in fact, invariably as one of the celestial ministers at God's throne; he pays Him allegiance like the angels; and, unlike Ahriman who is constantly at war with Ormuzd, he never ventures opposition or rebellion¹⁸.

Yet it would be unwarrantable to divest the spirits of the Bible of their personality, and to reduce them to abstract powers executing God's will¹⁹, to mere emblems of His presence²⁰, or symbols of His working in nature, in great events, and in human thoughts or emotions²¹;

⁹ Gen. XXXII. 29; Hos. XII. 5; see *supra* pp. 25—27.

¹⁰ Judg. XIII. 16.

¹¹ Tobit XII. 18.

¹² See *infra*; comp. *Albo*, *Ikkar* II. 28.

¹³ *שם בראשית*; Ex. XXIII. 21; comp. Eccl. V. 5.

¹⁴ 2 Sam. XXIV. 16 *sqq.*; 1 Chr. XXI. 12 *sqq.*; 2 Ki. XIX. 34, 35.

¹⁵ See Comm. on Gen. p. 88.

¹⁶ 1 Ki. XXII. 22.

¹⁷ Zech. III. 1, 2.

¹⁸ Comp. Comm. on Gen. pp. 399—401.

¹⁹ *Côlin*, Bibl. Theol. I. 191, 192, 410, etc.

²⁰ *שם בראשית*, *Midr. Rabb. Ex. XXXII. 4.*

²¹ Maimonides, apparently in this

to incarnations of His word, or beams of His essence, into which they return without an existence or "meaning of their own"¹; and still more to "metaphors of a pious fancy"², employed "for the dramatic animation of the scene"³, or "for poetic adornment"⁴. Angels and spirits were certainly not conceived with uniformity by all, nor in the same manner at different periods; yet they obtained steadily a stronger hold upon the national mind, and gradually became objects of doctrine and creed. It is true, the angelology of the Old Testament is fragmentary, without unity and organic connection; and the notions on the subject were at all times vague and floating: but so were the notions on many other points of Hebrew theology, and on God Himself. The main interest of the inquiry lies in that fluctuation. The Israelites, always ready for progress and change, felt their way like all other nations; and adopting or assimilating new ideas, they built up a comprehensive system by the labour of ages: that system in all its completeness was then, by a natural operation of the mind, represented as having been worked out from the beginning on fixed principles, and, for greater support, it was finally attributed to some great and revered name of antiquity, if not to Divine revelation. This process was repeated with respect to all important institutions; and it affords the only safe clue to a rational interpretation of the Scriptures, whether of the Old or the New Testament.

But in spite of the beneficial and creditable restrictions referred to, the admission of angels and of a tempting and accusing demon was too dangerous a laxity to remain without deplorable effects. The unity of God was threatened from two different sides. First, God Himself might be identified with His messengers or manifestations, and thus be endowed with bodily form; and secondly, the power of evil, which often enjoys temporary triumphs on earth, might be represented as an irresistible principle, and thus be invested with independent authority antagonistic to that of the Deity Himself. Both

instance also unable to appreciate Biblical notions with impartiality, and eager to graft upon them Aristotelic and Arabic conceptions, converts the angels into "prophetic visions" (מראות נבואה, *Yesod. Hattor.* II. 5, 7; *Mor. Nev.* I. 49; II. 6), or into "physical and intellectual forces" (*Mor. Nev.* II. 71, e. g. the force that works in the germ is the true angel of God; etc.).

¹ *Hupfeld*, *Quellen d. Genesis*, p. 218.

² *Schenkel*, *Bibel-Lexicon*, I. 111.

³ *Hupfeld*, *Theosoph. oder Mythol. Theol.* pp. 9, 11.

⁴ The fact that מַלְאָכִים is etymologically *message*, not messenger (*Sack*, *Comm. theol.* p. 19; *Ewald*, *Krit. Gram.* § 134, p. 245), affords no proof; the word never actually occurs in abstract, but always in concrete meaning.

these mistakes were actually made; for a later religious phase taught an incarnate God and a contumacious Devil. The Old Testament effectually paved the way for such errors. For in many passages, especially in earlier writings, it introduces angels, who, in the course of the narrative, prove to be God Himself⁵; and thus the Hebrews were made familiar with the idea of impersonation, even irrespective of the influence of other Eastern systems. Hence we can hardly be astonished to find that the Fathers of the Church, with few exceptions⁶, considered in all passages throughout the Old Testament "the angel of the Lord" to be identical with Christ, and understood the three messengers who came to Abraham as the second person of the Godhead, or the Logos, accompanied by two created angels⁷, which view, though now indeed discarded by critics, still occupies its place in dogmatic works⁸.

On the other hand, the Old Testament occasionally attributes to Satan the power of leading even God's favourites astray, and bringing upon them disgrace and misery. Thus "Satan stood up against Israel and provoked David to number Israel"⁹: it is true that, according to the older account, God Himself incited the king to commit the offence¹⁰; but this was justly deemed incompatible both with Divine holiness and Divine justice, and was therefore abandoned, like the questionable hardening of Pharaoh's heart¹¹. In the time of the exile, and for centuries after it, thoughtful men urged indeed, that God is the Author of both good and evil, of blessing and punishment, of light and darkness, since they acknowledged only rela-

⁵ Gen. XVI. 7—13; XVIII. 2, 3, 17 *sqq.*; XXI. 17—19; XXII. 11, 12; XXXI. 11, 13; XXXII. 25, 29, 31; XLVIII. 15, 16; Exod. III. 2—7; XIII. 21 and XIV. 19; Judg. VI. 11 *sqq.*; XIII. 21, 22; see also Gen. XVIII. 10 and XXI. 1 (comp. *Albo*, *Ikkar*. II. 28); Num. XXII. 9, 20, 22 *sqq.*

⁶ As Augustine, Jerome, and Gregory.

⁷ Comp. *Pfeiffer*, *Dub. vex. pp.* 137 *sqq.*

⁸ Comp. *f. i. Hengstenb.* *Christol.* I. 215—251 (the argumentation is, in the author's usual manner, subtle and adroit, but untenable); so also Hofmann, Baumgarten, Kurtz, a. o. Inaccurate is the view of Jewish

writers — "the messenger speaks in the name of the sender" (משלוח דבר) (*Ebn Ezra* on Exod. III. 2; *Hamburger*, *Real-Encycl.* p. 506; a. o.): this applies to the prophets who, for the sake of brevity, are sometimes said to have done themselves what they did by the power, or announced in the name, of God (comp. Gen. XXVII. 37; XLIX. 7; Ezek. XIII. 19; XXXII. 18; XLIII. 3), but it does not apply to those angels who are at once messengers and Sender.

⁹ 1 Chr. XXI. 1.

¹⁰ 2 Sam. XXIV. 1; comp. 1 Sam. XXVI. 19.

¹¹ Comp. James I. 13, 14.

tive, not absolute misfortunes, and regarded "all partial evil" as "universal good"¹. In fact, the distinction between "good" and "evil" angels is foreign to the Old Testament: the angels charged to overthrow Sodom and Gomorrah, were the same as those who saved Lot and his family; the angel sent to destroy Sennacherib's army was distinctly called "a good angel"²; and "a holy guardian" came to punish the pride of Nebuchadnezzar³. Yet Zoroaster's doctrines gradually exercised a perceptible influence; and then sinful deeds were traced, not so much to the innate perversity or weakness of the human heart⁴, as to the allurements and seduction of the arch-enemy of all virtue. The Wisdom of Solomon declares that "through envy of the devil came death into the world, and they that hold of his side find it"⁵; and these notions became in later times current both among Christians and Jews⁶. Sirach contends, "When the ungodly man curses Satan, he curses his own soul"⁷. Philo speaks of "unholy angels (*ἀνέμοι*) unworthy of any address", and of demons who, properly wicked mortals, assume the name of angels, and entice men to sensual excesses⁸. Josephus is indeed extremely free in his treatment of Biblical spirits. He either entirely omits the angels in his narrative⁹; or he substitutes for them God Himself¹⁰ or Divine Providence¹¹; or he assumes in their stead indistinct superhuman visions and oracles¹², a mysterious voice¹³ or even some human being¹⁴; while he occasionally changes a theophany into the appearance of an angel or spirit.

¹ Isai. XLV. 7; LIV. 16; comp. 1 Sam. XVI. 14, 16, 23; XVIII. 10 (יהוה יחיה ויהוה יחיה); Judg. IX. 23 (מלאכי יהוה); Am. III. 6; Lament. III. 38; Job II. 10; see *supra* p. 68.

² Ἀγαθὸς ἄγγελος, 2 Macc. XV. 23; comp. XI. 6; 1 Macc. VII. 41; 3 Macc. VI. 18.

³ Dan. IV. 10, מלאכי יהוה; comp. also Henoch XX. 4; *Talm. Bab. Bathr.* 16^b; *Midr. Rabb. Ex.* XV. 33 (God is both the accuser and the defender of men); *ibid.* Gen. I. 8 (everything is good, even judgment and punishment, and it is wrong to say, "two principles" (שני עולמות) have created the world).

⁴ Comp. Gen. VI. 5; VIII. 21; Jer. XVII. 9, 10.

⁵ Wisdom II. 24.

⁶ Comp. *Targ. Jon.* Gen. III. 6, (מלאכי יהוה מלאכי יהוה); Revel. XII. 9.

⁷ Sir. XXI. 27.

⁸ De Gigant. c. 4, with reference to Ps. LXXVIII. 49.

⁹ Ant. LXIX. 9; comp. Gen. XXXI. 11.

¹⁰ Ant. I. xiii. 4; comp. Gen. XXII. 11, 12.

¹¹ Ant. X. x. 5 (θεὸς ἐκείνους προνοεῖ); comp. Song of Three Holy Children, ver. 26.

¹² Ant. I. xix. 1; V. ii. 7; IX. ii. 1; comp. Gen. XXVIII. 12; Judg. II. 1 *sqq.*; 2 Ki. I. 3 *sqq.*

¹³ Ant. II. xii. 1; VIII. xiii. 7; comp. Ex. iii. 2; 1 Ki. xix. 5, 7.

¹⁴ Ant. VIII. xiii. 7; comp. 1 Ki. xix. 5, 7.

as in Jacob's wrestling with God¹⁵. Yet he as often follows the Bible in noticing angels¹⁶; and, though like the Palestinian Apocrypha Baruch and Tobit, he never mentions Satan, he frequently introduces demons and malicious spirits, which he considers as the departed souls of the wicked, as did the Greeks and later Jews¹⁷; he contends that they take possession of men and strike them with foul and incurable diseases, especially disorders of the mind; but that they may be exorcised by incantations and mysterious spells, especially by those ascribed to the ingenuity of Solomon¹⁸; and he declares that he himself saw how a certain Eleazar "drew out a demon through the nostrils" of a tortured sufferer by means of a "burning" root (βαδρα) and of Solomonic formulas, and how at Eleazar's command the spirit, as he went out of the man, overturned a basin of water¹⁹. On such fruitful soil had the Persian teaching fallen among the Jews.

3. THE NEW TESTAMENT.

More remarkable still is the expansion in which the spirit-world appears in the New Testament.

The *angels* ceased entirely to be mere types or symbols of Divine Providence, and were, in all cases, regarded as personal beings endowed with a well-defined individuality. In the speeches of Christ, it is true, they are introduced without mythological adornment, without classification, names, or fanciful appearance; nor are they charged with authority over empires or with intercession for individuals. But in the writings of the apostles, an exuberant imagination busily invests them with the most striking attributes and the most marvellous powers. Encompassed by a cloud with a bright radiance, and a rainbow encircling their heads, with faces like the sun or

¹⁵ Ant. I. xx. 2; see p. 25.

¹⁶ As Ant. I. xi. 2 (Abraham in Mamre); IV. vi. 3 (Bileam); etc.

¹⁷ Hor. Epod. V. 91 sqq.; Philostr. Apoll. III. 38; "to have a demon" was synonymous with being insane (*Aeschyl.* Choeph. 566; *Eurip.* Phoen. 888; *Plut.* Marcell. c. 20; etc.).

¹⁸ See *infra* ch. IV.

¹⁹ Jos. Ant. VI. viii. 2; xi. 3; VIII. ii. 5; Bell. Jud. VII. vi. 3; comp. Tobit VI. 7, 16, 17; VIII. 2, 3; see also

Herod. III. 33; *Heliod.* Aeth. IV. 10; *Lucian*, Philopseud. cc. 16, 17 ("there are people who by formulas can free the possessed from demons. I need hardly mention the great master of the art, the famous Syrian, who cures the patient for ever, if necessary by threats, where spells are unavailing. I have myself once seen such a spirit come out, who was black and smoky in appearance" (μίλανα καὶ καπνώδῃ τῇν χροῖαν).

lightning, and feet like pillars of fire¹; the Seven Spirits stand on the four corners of the earth to command and rule the winds², and to perform God's behests among men³. Vast numbers—"ten thousand times ten thousand, and thousands of thousands"—all clad in fine white linen, and riding on white horses, surround the throne of God, glorifying Him, offering incense on a golden altar, and bringing before Him the prayers of the righteous. One preaches the everlasting gospel to all lands and all nations, another declares the Divine wrath to the godless, and some scatter terrible plagues over the earth with the blast of their trumpets; while others, visibly appearing among men, announce to them great and remarkable events, especially such as concern the new dispensation. They lend their aid to pious sufferers, shield those for whom they have been appointed as special guardians, and carry the souls of the virtuous into heaven⁴. One of them was supposed to "come down at certain seasons into a pool and to trouble the water", so that, "whosoever first after the troubling of the water stepped in was made whole of whatever disease he had"⁵—a conception so strange that the passage has, though without reason, been suspected as spurious⁶. But they decline worship; for they are merely servants of God like the apostles, and subject to His tribunal⁷. They are neither perfect in knowledge nor in wisdom⁸, yet are they able to interpret heavenly visions and revelations⁹. Full of love and compassion, they rejoice at the sinner's repentance and the growth of God's kingdom¹⁰. For both in heaven and on earth they minister particularly to their lord Christ, whom they will surround at his second advent, and whose decrees they will execute in the day of judgment¹¹.

¹ Rev. X. 1; XIV. 6; Matth. XXVIII. 2, 3; Luke XXIV. 4; Acts I. 10; X. 30; XII. 7; see *supra* p. 290.

² Rev. VII. 1.

³ Rev. I. 4; III. 1; IV. 5; V. 6; VIII. 2.

⁴ Luke XVI. 22.

⁵ John V. 4.

⁶ De Wette observes (in loc. p. 89 ed. 4): "existing testimonies do not suffice to pronounce the passage spurious."

⁷ Col. II. 18; 1 Cor. VI. 3; Revel. XIX. 10; XXII. 8, 9.

⁸ Matth. XXIV. 36; comp. 1 Pet. I. 12; Hebr. I. 4 *seq.*

⁹ Rev. I. 1; XXII. 6, 16; *Origen.* in Num. Hom. XIV. 2, et rursus angelis opus est qui praesint operibus sanctis, qui alternae lucis intellectum et occultorum Dei agnitionem ac rerum Divinarum scientiam doceant etc.

¹⁰ Luke XV. 10; 1 Pet. I. 12.

¹¹ Comp. Matth. I. 20; II. 13, 19, 20; IV. 11; XIII. 39—42, 49; XVI. 27; XVIII. 10; XXII. 30; XXIV. 31; XXV. 31; XXVI. 53; XXVIII. 2, 3; Luke I. 11—22; II. 9—14; XX. 36; XXII. 43; John I. 52; Acts X. 3—7; XII. 7—11, 15; XXVII. 23, 24; Rom. VIII. 38; 1 Cor. IV. 9; XIII. 1; Gal. I. 8; 1 Thess. III. 13; IV. 16; Hebr. I. 4, 5, 13, 14;

But singular and surprising are the notions of the New Testament regarding *men possessed by demons*¹². They are so perplexing, that it seems difficult to understand by what perversion of thought and by what anomalies of historical development, such fancies could possibly be grafted upon any monotheistic religion.

The chief and ruler of the demons is Satan, who now stands out in all his moral hideousness. His nature is sufficiently indicated by his names; for he is described as the "Slanderer" or "Devil" (διάβολος); the "Accuser" of men before God day and night; "Beelzebub"¹³ or "Beelzebul"¹⁴ and "Belial" (Beliar); the "great Dragon" or the "old Serpent", who deceives the whole world; "the Liar and the father of lies"; the "Wicked"; the "Prince" or "the God of this world" of frivolity, sin, and ignorance, or "the Prince of the Power of the air"; the "Adversary" who, "as a roaring lion, walks about seeking whom he may devour"; the "Messenger of death"; "the Author of all evil", of deceit and calamity, from the beginning of the world; the wily "Antagonist" of God's kingdom, of Christ's followers and his work; the cunning "Seducer" of the weak, and the shameless tempter of the pious and of Christ himself¹⁵. His subjects or "angels" are the demons or the wicked and unclean spirits¹⁶, often identified with the pagan idols¹⁷, and classified according to their rank as principalities, powers, and rulers of darkness¹⁸. Now these demons enter into the bodies of men, and vast numbers of them, up to a "legion", often dwell in one individual. They afflict their wretched victims with melancholy or raving madness, with epilepsy and paralysis, with loss of speech,

XII. 22; 1 Pet. III. 22; 2 Pet. II. 11; Jude 9, 14; Rev. V. 11, 12; VII. 1—3, 11, 12; VIII. 3 *sqq.*; XII. 7; XIV. 6 *sqq.*; XV. 1 *sqq.*; XVI. 1 *sqq.*; XVIII. 1 *sqq.*; XIX. 10, 14; XXII. 9.

¹² Δαίμονιζόμενοι, ἔχοντες δαιμόνια, ὀφλοῦμενοι ὑπὸ πνευμάτων ἀκαθάρτων.

¹³ Comp. 2 Ki. I. 2, 3, 6 שָׂרִיף הַשָּׁמַיִם, the lord of flies or noxious insects.

¹⁴ Dominus (שָׂרִיף) stercoris (שָׂרִיף); comp. *Lightfoot* in Matth. XII. 24 (Op. II. 323).

¹⁵ Σατάν or Σατανᾶς, διάβολος, κατήγορος (in Jewish writings frequently שָׂטָן, or the participle שָׂטָן or שָׂטָן, in contradistinction to the defender שָׂטָן מִן הַשָּׂטָן or שָׂטָן מִן הַשָּׂטָן).

ράκλητος), Βεελζεβούβ (Βεελζεβούλ), Βελίαλ (Βελίαρ), δράκων ὁ μέγας, ὁ ὄφις ὁ ἀρχαῖος (שָׂטָן הַשָּׁמַיִם or שָׂטָן הָאָרֶץ; comp. *Midr. Rabb. Gen. XXII. 15*; *ib. Num. XIX. 11* שָׂטָן הַשָּׁמַיִם שָׂטָן הָאָרֶץ; *ib. Deut. V. 10, 11*); ὁ πονηρὸς, ὁ ἀρχὼν τοῦ κόσμου τούτου, ἀρχὼν τῆς ἐξουσίας τοῦ ἀέρος, ὁ ἐχθρὸς, ἀνθρῶποκτόνος ἀπ' ἀρχῆς ὁ πειράζων.

¹⁶ Δαίμονια, δαίμονες, πνεύματα ἀκάθαρτα, πνεύματα πονηρά, πνευματικὰ τῆς πονηρίας, πν. ἀσθενειῶν.

¹⁷ See *supra* p. 292, note 2.

¹⁸ Ἀρχαί, ἐξουσίαι, and κοσμοκράτορες τοῦ αἵματος τούτου; Eph. VI. 12; comp. I. 21; 1 Cor. XV. 24; Rom. VIII. 38.

sight, and hearing; or they force them to live in rags and tatters near tombs or in deserts. But they are cast out or "rebuked" by Christ through the spirit and holiness of God, and by his disciples and other believers through the power of his name; and then they escape to parched and dreary places (ἀνυδροὶ τόποι), seeking rest which they never find; or they are driven into unclean beasts, such as swine, which then are seized with wild frenzy, and furiously rush into death; yet sometimes they return from their desolate retreats with other demons as auxiliaries, to enter and torment the wretched sufferer anew, and to render his condition worse than ever. They appear in many shapes, even as frogs. They differ in degrees of iniquity. Like the false prophets, they often utter predictions, and work signs and wonders, for deceit and destruction. Yet they believe in God, and tremble before His holiness. Fallen by their own guilt, like Satan, from an original state of innocence, "as lightning falls from heaven"¹, they govern in the realms of darkness; but in due time they will be condemned, subdued, and disarmed by the Messiah, and, bound in everlasting chains, they and their master will be hurled down into the fathomless pit, where, in the lake of fire and brimstone, they shall be tormented day and night for ever and ever. This final overthrow of Satan and his subordinate hosts, his ultimate expulsion from the kingdom of this world, and the transformation of men from "children of the devil" into "children of God", are among the principal objects of Christ's work and mission².

¹ It is well known, that some Fathers of the Church (as Gregory of Nyssa and Nazianzen, and Basil) and with them many modern theologians (as Michaelis, Baumgarten, Delitzsch, a. o.), place the fall of the angels and the struggle of Satan between the first and second verses of Genesis, when the world, originally perfect, was transformed into a "bottomless abyss" (see, however, Comm. on Gen. p. 61).

² These remarks are based upon a large number of passages, which prove how much the minds of the New Testament writers were absorbed by their demonology. See Matth. IV. 1—11, 24; VIII. 16, 28—35; IX. 32—34; X. 1, 8, 25; XI. 18; XII. 22—

28, 43—45; XIII. 19, 38—42; XV. 22, 28; XVII. 15, 18; Mark I. 12, 13, 23—27; III. 22; V. 2—13; VI. 13; VII. 29, 30; IX. 17—29; XVI. 17; Luke IV. 1—13, 33—36, 41; VI. 18; VIII. 2, 12, 27—36; IX. 39; X. 17—20; XI. 15, 18—26; XIII. 11, 16, 32; XXII. 3, 31; John VII. 20; VIII. 44, 49; X. 20; XII. 31; XIV. 30; XVI. 11; Acts V. 3, 16; X. 38; XIII. 10; XVI. 16—18; XIX. 3; XXVI. 18; Rom. VIII. 38; XVI. 20; 1 Cor. V. 5; VII. 5; X. 20, 21; XV. 24—27, 54—57; 2 Cor. II. 11; IV. 4; VI. 15; XI. 3, 14, 15; XII. 7; Ephes. II. 2; VI. 11—13, 16; Col. I. 13; 1 Thess. II. 18; III. 5; 2 Thess. II. 9, 10; 1 Tim. I. 20; III. 6, 7; IV. 1—3; V. 15; 2 Tim. II. 26; Hebr. II. 14; James II. 19; 1 Pet. V.

Vain attempts have been made to banish the demonology from the number of Christian doctrines, merely because it is fantastic and irrational. Jesus and the apostles, it has been contended, accommodated themselves to popular superstitions and fancies, but did not permit them to influence the new faith — of which, however, they form an essential part. Still more objectionable is the assumption that, for moral and practical ends, they used the "current language", but did not connect with it the current notions, since they did not take the terms in their literal sense. Such principles, applied as they have been to other difficult subjects also, as the Biblical statements in reference to natural sciences, render a sound interpretation impossible³. It is indeed remarkable that the fourth gospel, though occasionally mentioning angels⁴ and the "devil" or "the prince of this world"⁵, only once or twice alludes to demons⁶; but it would be unsafe to conclude from this silence of Christ's most familiar disciple, that "Jesus did not believe demons to be real powers"⁷, and that the other evangelists represent incorrectly their master's views on the subject⁸. Satan is a prominent, if not almost the central figure in Christian dogmas. Jesus and his disciples recognise his hostility to human peace and righteousness as a formidable force⁹; they assign the fullest reality to the suffering of the "possessed" and to its presumed cause; and they are, according to the gospels, distinguished from the bulk of the people merely by their closer alliance with the Divine spirit, before which the mischievous creatures tremble. Therefore, their teaching implies a clear dualism. Paul distinctly contrasts the empire of Satan, or of malice and darkness, with the empire of God and Christ, or of virtue and light. It is a futile endeavour to de-

8, 9; 2 Pet. II. 4; 1 John III. 8—10; IV. 1—3; Jude 6; Rev. II. 9, 24; IX. 1; XII. 3, 7—10, 13—17; XIV. 12—15; XVI. 13, 14; XIX. 20; XX. 1—3, 7—10.

³ The arguments brought forward in defence of those views are necessarily weak; comp. f. i. *Cölln* Bibl. Theol. II. 73 ("the wisdom of the physician seemed to demand indulgence to prejudices, which facilitated the success of the cure"; etc.); *ib.* p. 231; *De Wette*, Bibl. Dogm. I. § 242; etc.

⁴ I. 52; V. 4; XII. 29; XX. 12.

⁵ VII. 20; VIII. 44; XII. 31; XIV. 30; XVI. 11.

⁶ VIII. 48, 49; X. 20, 21.

⁷ *Cölln*, Bibl. Theol. II. 73; comp. p. 233; see also the wavering and symbolising remarks of *Schenkel* in his *Bibel-Lexic.* I. pp. 115—118 (Satan is merely "die gottentfremdete Macht der Zeitlichkeit, Diesseitigkeit, Sinnlichkeit, dessen, was im vierten Evangelium Welt heisst, überhaupt").

⁸ Comp. *De Wette*, Bibl. Dogm. I. § 241.

⁹ Comp. John XII. 31; XIV. 30; XVI. 11; etc.

prive Satan of a personal existence, and to regard him as "a hostile power of evil ever at work against the good"; or to attribute to him "merely a symbolical meaning", as a "type of iniquitous worldliness" and of "ungodly sensualism": such shadowy abstractions are contradicted by the narratives of the apostles, if not by the speeches of Christ, and they cannot be forced into the writings of Paul without entirely altering and distorting his system. It is true, Satan's condemnation is already pronounced; his dominion is even now powerless to harm the devoted believers in Jesus, though these are few in number; and his strength will be utterly broken, like the rule of death and hell, great day of judgment, when Christ shall appear again on earth as perfect conqueror, and when the empire of ever-lasting life shall begin — just as the Parsees believe that Ahriman's authority will be annihilated at the final triumph of Ormuzd after a struggle of 12,000 years. But in the mean time, the main bulk of mankind are kept in his toils. He is the prince of this world and the instigator of evil. He "takes his children captive at his will", and forces them to serve him as his "ministers" (διδάκοντες), to wage war against truth and light, to foster error, superstition, and apostasy, to entrap the unwary in "the lusts of the flesh", to stir up strife and dissension among communities, and to bring persecution and misery upon the faithful. Against his malignant attacks and seductive snares men must ever be fortified; or else they relapse into his grasp, whether temporarily for correction and improvement, or for eternal torture; and with fiendish malice, and armed with "all powers and signs and lying wonders and unrighteous deceit", he strives to frustrate every noble effort of sin-born and sin-laden humanity¹.

One additional process remained to be accomplished. The manifold attributes of God and the various manifestations of His power were, by the influence of Greek philosophy, and especially of Platonic ideas², comprised in one supreme and all-embracing Intelligence; the unity of the Divine Being, divided by numberless angels, spirits, and demons, was restored in a new form, under the name of "Logos" or the Divine Word. The Jews were familiar with this notion through the *Honover* of the Persians, which was conceived as the all-creating Word of Ormuzd and one with his mind, as the purifier of every uncleanness and the future destroyer of Ahriman's empire³; and thus the

¹ Comp. Acts XXVI 18; 2 Cor. VI. 15; Col. I. 13; Eph. VI. 11—13; 2 Tim. 511 A); Timaeus c. 18 (p. 51 E, 52 A); comp. *Euseb. Praep. Ev.* XV. 13.

III. 26; etc.

³ Comp. *Izeshne* c. XIX; *Vendid.*

² *Plato*, *Republ.* VI. 18, 21 (p. 507 B, XI. XIX; etc.

fourth gospel commences, "In the beginning was the Word, and the Word was with God, and the Word was God . . . All things were made by Him; and without Him was not anything made that was made"⁴. In this manner the Trinity was completed — God the Father, the incarnate Son, and the Logos.

4. THE TALMUD AND THE MIDRASHIM.

In these works, Iranic fancies and superstitions are most abundantly reflected; yet the contrasts between Talmudic and the Persian doctrines are as interesting as their parallels: for from the earliest times, the Hebrews modified rather than adopted or originated ideas. We must here confine ourselves to a rapid survey of an almost endless field, and must entirely resist the temptation of following the Kabbalah into the fantastic and gorgeous mazes of its spirit-world.

The angels — so teach the Rabbins — were brought forth by God out of nothing, or else out of fire⁵ or water⁶, out of air or the snow which lies piled up beneath the throne of God, and which was also employed for the formation of the world. It has been warmly disputed whether they were produced on the second day of Creation, or on the fifth, or at dusk on the sixth; but all doctors agree that they were not called into existence on the first day, lest sceptics contended, that Michael and Gabriel or other spirits assisted God in fashioning the world⁷. For Judaism, keeping aloof from Gnostic views, never regarded God as a "demiurgos", nor attributed to angels the power of creation, and the office of universal government⁸. On the contrary, anxious in no manner to imperil the strictest monotheism, the Rabbins rather lowered the nature and position of the angels; for they declared that these "created beings"⁹, blind and powerless tools in the hand of God with whom they ought never to be confounded¹⁰, must give Him a full

⁴ The *Vatch* or Word of the Hindoos has a similar power and mission; comp. *Colebrooke* in *Asiat. Res.* VIII. p. 403.

⁵ As Gabriel.

⁶ As Michael.

⁷ *Pirk. R. Eliez.* c. 4; *Midr. Rabb.* Gen. I. 2, 3, 8; *ib.* Exod. XXX. 5; comp. *Yalk. Shim.* I. § 5; *Pirk. Av.* V. 6; *Talm. Sanh.* 38^a.

⁸ Yet certain modern schools of theology, misled by a fallacious logic and the semblance of philosophic ar-

gument, have attempted to revive that pagan theory, which was considered to have been discarded for ever (comp. *Hupfeld*, *Theosoph. und Mytholog. Theolog.* pp. 10, 11).

⁹ *Midr. Rabb.* Gen. LXXVIII. 1, 'בכל יום ימים ברא הקב"ה את כל המלאכים'; *Maimon. Mor. Nev.* II. 6, 10, "God has created all intelligences (angels) and heavenly orbs", whereas Aristotle considers them as *eternal*, and as emanating from the deity of *necessity*.

¹⁰ *Talm. Sanh.* 38.

account of their actions, and are liable to punishment¹, and even to death, if they presume to penetrate into mysteries beyond their appointed sphere. They must, therefore, not be represented in images for the purpose of worship², nor be appealed to in prayer, which would be regarded as blasphemy³, and certainly not be honoured by one of the four chief modes of homage — prostration, sacrifice, burning of incense, and libation⁴. However, it is their office to bring man's supplication before God⁵; therefore, as "they do not understand the Aramaic dialect"⁶, except Gabriel who is familiar with all languages, individuals ought not to pray in Chaldee⁷, though congregations may offer up their prayers in any tongue, since God Himself is present among them⁸.

The angels are permitted to exercise only rigid *justicia* (מדת הדין), and do not share the Divine privilege of granting pardon. They stand in need of mutual assistance⁹; nay, they are frequently called upon to serve mortals¹⁰; and it was a current maxim, that "good men are superior to angels"¹¹: thus while the latter were unable to give names to the animals, Adam did so without difficulty¹².

Like the Persian Fervers, the angels are numberless. When Jacob, after his flight from Laban, feared the perilous encounter with Esau, he was protected by two "camps" of well-equipped hosts, each consisting of 120,000 angels¹³. They are constantly increasing; for every

¹ *Talm. Chagig.* 16^a.

² *Targ. Jon. Ex. XX. 20; Mechill.* in loc. p. 80 ed. Weiss, לא יתבאר ולא יתבאר; *Talm. Bosh Hash.* 24^b (לא יתבאר); *Bechai* on *Exod. XX. 4*, p. 70^a ed. Lemberg, ולא יתבאר ולא יתבאר (עשה צדק ולא יתבאר).

³ *Talm. Jer. Ber. IX. 1; Talm. Chag.* 15^a. Yet in that remarkable apocalyptic work, the fourth Book of Esdras, prayers are addressed to angels (XIII. 13), because these appear, as in the earlier Canonical Books, as nearly identical with God, or as His visible embodiments (see *Volkmar, Das vierte Buch Esra*, pp. 12, 185, 321, 401).

⁴ *Talm. Sanh.* 60^b; comp. *Maim. Hilch. Akk. II. 2* (לא יתבאר); *III. 3, 11* (לא יתבאר); *Albo, Ikkar. II. 28.*

⁵ *Talm. Shabb.* 6.

⁶ *Talm. Chagig.* 16^a.

⁷ *Comp. Talm. Shabb.* 12^b: the Scriptures were translated into Chaldee, lest the angels oppose and disparage them.

⁸ *Talm. Sot.* 33^a; comp. also *Tosaph. Berach.* 3^a.

⁹ *Midr. Rabb. Lev. XXX. 1* (האנשים).

¹⁰ *Talm. Taan.* 11^a; *Midr. Rabb. Gen. LXXV. 3, 6*; etc.; comp. *Talm. Sanh.* 59^b, "Adam was sitting in the garden of Eden, and ministering angels roasted meat for him" (צלין לו בשר).

¹¹ *Yalk. Shim. I. § 427* (Lev. init. (צלין לו בשר); *Midr. Rabb. Gen. VIII. 1.*

¹² *Pirk. R. Eliez. c. 13; Midr. Rabb. Gen. XVII. med.* (האדם יושב בגן עדן).

¹³ *Midr. Rabb. Gen. LXXV. 6; LXXXIV. 2.*

Test. Jer., Lev.

word which God utters becomes an angel¹⁴; every good deed which a man performs, becomes a tutelary angel who never forsakes him¹⁵; the souls of the pious, as Henoch, Moses, and Elijah, are after death offered by Michael, the heavenly High-priest, on the celestial altar, and are then converted into angels¹⁶; new angels are perpetually created to glorify God¹⁷, and 694 myriads join daily at His throne, singing hallelujahs, playing the timbrel, and dancing¹⁸.

There are two chief groups of angels — those charged to extol the Divine majesty, and those entrusted with heavenly missions to men¹⁹. The former — divided into four sections led by Michael and Gabriel, Uriel and Raphael²⁰ — emerge daily by God's behest from the stream of fire (נֶחֱם דֵּי נִיר) which flows beneath His throne, and thither they return after having sung His praises²¹; or they pass away altogether to be replaced by new creations, since no angelic choir exalts the Lord twice²²: the great chiefs only (שְׂרָרִים), as Michael and Gabriel, Metatron and Sandalphon (סנדלפון), are exempted from this transitory existence, in deference to the holiness of the six days of Creation, during which they were produced²³; Sandalphon, who, when standing on the earth, reaches with his head into heaven, and is so much

¹⁶ *Talm. Chag.* 14^a, חג המצות יום
הוא, derived from Ps.
XXIII. 6.

¹⁵ *Midr. Rabb. Ex. XXXII. 3.*

¹⁶ *Talm.* Chagig. 12^b; comp. *Midr. Rabb.* Deut. XI fin.

¹⁷ *Midr. Rabb.* Lament. III. 22 (fol. 57 ed. Stett.); see *infra*.

¹⁵ *Midr. Rabb.* Gen. LXV. 12; *Pirk. R. Eliez.* c. 12; *Talm. Sanh.* 59^b; comp. *Dan.* VII. 10; see *supra* p. 288. A still more lavish number of stars is given — there are 291,600,000 heavenly captains, under each of whom serve 365,000 stars (*Talm. Berach.* 32^b).

¹⁰ Later Rabbins propounded a division in ten classes — the number of heavenly spheres (עֲרוֹנוֹת) — based upon descriptions of Ezekiel and notices in other Biblical Books — viz. Holy beast-angels (מַלְאָכִים חֲסִידִים), the highest of all; Wheel-angels (מַלְאָכִים עֲרוֹנוֹת); Light-angels (מַלְאָכִים מְאִירִים, Isai. XXXIII. 7); Amber-angels (מַלְאָכִים שֶׁמֶשׁ); Fire-angels (מַלְאָכִים אֵשׁ); Messenger-Angels

(אֱלֹהִים); gods (אֱלֹהִים); Sons of God (בְּנֵי אֱלֹהִים); Cherubs (כְּרֻבִים); and Men-
angels (מַלְאָכִים); see *Maim. Yesod. Hat-
tor. II. 7.*

²⁰ *Pirk. R. Elicz.* c. 4; *Midr. Rabb.*
Num. II. 8; *Maim. Mor. Nev.* II. 10.

²¹ *Talm. Chag.* 14^a; *Midr. Rabb.* ad Lament. III. 22 (fol. 57 ed. Stett.); comp. Dan. VII. 10; Henoch XIV. 19; LXXII. 1, 2; *Targ. Jon.* and *Jerus.* Gen. XXXII. 27 (אֵלֶּיךָ מִן הַמִּצְרַיִם); *Midr. Rabb. Ex.* XXIII. 2, 3; *ib.* Lev. XXXI. 3; comp. *ib.* Gen. LXV. 12.

[illegible]

²³ *Midr. Rabb. Gen. LXXVIII. 1; Bechai on Gen. XXVIII. 12 p. 86^a,*
ש. ילמדה קריתיה נצחיה ליה י'

taller than his companions "as the distance a man can walk in 500 years", usually takes his place behind the Divine chariot (מִקְדָּשׁ), and wreathes crowns for his Maker¹.

The messenger-angels receive their orders "behind the curtain" (מִאַחַר הַכִּתָּוֶה)², like the ministers of the Persian kings; for God is mysteriously enthroned in the seventh heaven³, which is also the abode of the Chajoth, the Ophannim, and the Seraphim, who carry the Divine chariot⁴. He executes no decree without having first consulted His heavenly host⁵. As a rule, a single angel never performs more than one mission at a time, nor are several angels charged with the same mission⁶. They must not stay on earth longer than seven successive days; if they exceed this time, they are forbidden to return into heaven⁷.

They plead before God for the pious: thus they offered to cool down the fiery furnace into which, according to a Talmudic legend, Abraham was thrown by Nimrod; they interceded for Isaac when he was about to be sacrificed; they saved Moses when Pharaoh sought his life, "an angel descending from heaven, and taking the place of Moses, who in the mean time escaped"; and they delivered Hananiah and his two companions from the flames⁸. — Every man has his own guardian angel⁹, or even two¹⁰. Corresponding to the seventy nations and the seventy languages which were supposed to exist on earth, seventy chief protecting angels were counted¹¹; and though in reality

¹ *Talm. Chagig.* 13^b.

² *Talm. Berach.* 18^b; *Sanh.* 89^b; *Yom.* 77^a; *Pirk. R. Eliez.* c. 4.

³ *Comp. Midr. Rabb. Gen.* LXXVIII. 32; *הקד"ה נחה נחה וקדושה יתברך ייבט, Av. R. Nath.* c. 37.

⁴ *Comp. Talm. Chag.* 12^b, 13.

⁵ *Talm. Jerus. Sanh.* I. fol. 18^a ed. Krotozh.; *Talm. Sanh.* 38^b (אין הקד"ה); *דעה [במלכות] דבר אלו א"כ נולד בנולד* [בבית דין]; *Targ. Jon. Gen.* XI. 7 (where *הקד"ה* is thus paraphrased: "God said to the seventy angels that were standing before Him"); *Midr. Rabb. Gen.* VIII. 2; *ibid. Eccl.* II. 12 (*הקד"ה יבין דין*); *comp. Maim. Mor. Nev.* II. 6; *Bechai on Gen.* I. 26.

⁶ *Midr. Rabb. Gen.* L. 1 (אין בלדך); *Targ. Jon.* (אשר נחה בידן שלוחים ב); *and Jerus. Gen.* XVIII. 2 (לוי ארצה)

לדור בן בלדך נחמה דמלכות ביהמ דיהמ בן (לויא דיהמ); *comp. Talm. Bab. Mets.* 86^b; *Derech Erets* c. 4 (sect. לויא דיהמ); *Maim. Mor. Nev.* II. 6; see, however, *Tobit* III. 17.

⁷ This happened to דין and דנאל (see p. 290 note 5), who then became evil demons.

⁸ *Talm. Pesach.* 118 (... ארבע נביאלי ארבע הקדושים ... ארבע יאמנות ב); *and ארבע יאמנות ב*; *Midr. Rabb. Gen.* LV. 3, 6; *ib. Ex.* I. 22; *Yalk. Shim.* II. §. 969.

⁹ *Targ. Jon. Gen.* XXXIII. 10 (מלאכי); *id. XLVIII.* 16 (מלאכי דמלכות); *ib. XLVIII.* 16 (מלאכי דמלכות).

¹⁰ *Talm. Chag.* 16^a; *Taan.* 11^a; *comp. Matth.* XVIII. 10; *Acts* XII. 15; *Origen. Contr. Cels.* VIII. 34; also *Max. Tyr. Diss.* 26 fin.; *Arrian, Epiet.* I. 14; *Censorin. De Die Nat.* c. 3.

¹¹ *Sept. Deut.* XXXII. 8 (αὐτὰ ἀπὸ θ-

the Hebrews require no tutelary or interceding spirit, since, by virtue of their faith, they can always approach God Himself¹²; they are yet watched over by the arch-angels Michael and Gabriel¹³, who ever defend them. Thus Michael warded off Haman's calumnies¹⁴; and angels were supposed to have been concerned in all important incidents of history, especially the revelation on Mount Sinai, when twenty-two, nay sixty myriads descended with God¹⁵; although the Law proceeded from the Lord Himself and from Him only.

The stars, then still more closely associated with the angels than in the Biblical times (p.286), were considered to exercise a paramount influence over men as well as over the animal and vegetable kingdoms: "the stars make rich, and the stars make wise", said Rabbi Chanina ¹⁶; they grant life, children, and sustenance ¹⁷; they join the angels in their glorification of God ¹⁸; they existed from the beginning as intellectual and highly endowed beings; and though their knowledge does not equal the wisdom of the angels, it far surpasses that of men ¹⁹. Like the Persian Fravashis, they are both the prototypes and the guardians (מִשְׁכָּלֵם) of all visible creations, and "there is no single plant on earth which has not its pattern in heaven" ²⁰.

μόν ἀγγέλων θεοῦ for ἁγγέλων θεοῦ); *Targ. Jon. Gen. XI. 7, 8; Midr. Rabb. and Yalk. Shim. ad ll. cc.; Midr. Rabb. Num. II. 7; XIX. 4; Talm. Sot. 33^a.*

¹² See *supra* p. 285 note 9.

¹³ *Midr. Rabb. Ex. XVIII. 2* (דמא); *Targ. Jon. Gen. XXXII. 25*; *id. XXXVIII. 25*.

¹⁴ Midr. Rabb. Esth. III. 8, fol. 9 ed. Stett., כל מה שהיה חזק מקטני ארץ ישראל מלכותה היה נחלק עליהם סגירותא למה יהא? ib. Exod. XVIII. 2, טעמיה וישראל יהיו להם יסודות ויסודותיהם יהיו לו.

¹⁸ *Midr. Rabb.* Num. II. 2; *Tanchum* on Exod. XX. 1 (— 16); *Bechai* on Ex. XIX. 16, p. 64². This idea was derived from the Bible itself: Deut. XXXIII. 2, Sept. ἐκ δεξιῶν αὐτοῦ ἄγγελοι μετ' αὐτοῦ; Ps. LXVIII. 18; Acts VII. 53; Gal. III. 19; Hebr. II. 2; *oomp.* *Jos. Ant.* XV. v. 3 (ἐν τοῖς νόμοις δι' ἄγγελων παρὰ τοῦ θεοῦ μαθόντων).

¹⁶ *Talm. Shabb. 156^a*, מול מהרים מול;
מול מהרים; comp. *Albo, Ikkar. III. 18.*

17 *Talm. Moed Kat.* 28^a, ... לא בזכותא
אלא בשולא חליא חליא.

¹⁹ Comp. *Naim. Mor. Nev.* II. 5; he contends that the stars are not "dead bodies like the fire or the earth", but "intelligent beings", "worshipping God by song and praise"; and he expressly protests against the metaphorical acceptance of such terms as "the heavens declare the glory of God" (*Ps.* XIX. 2); see also I. 72; II. 7, 12 *sqq.*

¹⁹ *Maim. Yesod. Hattor.* II. 9; *Albo*, *Ikkar.* II. 11 (יש להם גיטות); III. 3 (הם בעלי גיטת נפש); IV. 4; etc.

²⁰ *Talm. Shabb.* 156^a; *Peasach.* 2^b; *Bab. Kam.* 16^a; *Sanh.* 91^b; *Midr. Rabb. Gen. X.* 1; *LXV.* 12; *Maim. Mor. Nev. II.* 10; *Spiegel, Avesta, I.* Exc. 1; comp. *Origen.* in *Num. XIV.* 2, opus est angelis qui praesint animalium nativitati, virgultorum plantationumque, et ceteris pluralibus incrementis. etc.

These were the views of the Pharasaic schools. The Essenes also not only attached very high importance to the functions of the angels, but searched the mystic significance of their names¹. The Sadducees alone rejected the belief in angels, for the same reason which induced them to reject the doctrines of immortality and resurrection — because they doubted the existence of disembodied spirits²; but their sect was in later times neither large nor influential.

The *evil spirits* or *shedim* (שְׁדִים) assume in Jewish writings even larger dimensions than the *devs* in the works of the Parsees, who dwell with predilection upon the creatures of light. But their power is significantly circumscribed; for they are never allowed, like the *devs*, to attack or to disturb the good angels; and hence they are not, like their Persian originals, laden with curses and imprecations; on the contrary, as they must perform the commands of God, they contribute to His glory, in spite of their knavish trickery. Men may even make them obedient and useful. The half-shedim, who resemble human beings in appearance, are especially docile and tractable; one of them, "the shed Joseph", enlightened a Rabbi as to the attributes of his king Asmodeus; another was compelled by his master Rabbi Papa to perform for him all kinds of domestic services³. But no mortal exercised more absolute dominion over the spirits than king Solomon; he subjected and governed them at his pleasure, as he subjected and governed the winds. "Whenever he was in a cheerful mood, he summoned before him the wild beasts and the birds of heaven, the demons and the night-spectres, to let them dance in his presence, and to awe them with his power". He understood their speech as they understood his. For never could human hands alone have accomplished all his wonderful buildings. Securing the help of supernatural beings⁴, he commanded an army of "genii and men and birds"⁵. Some of the demons dived for him into the seas, and brought up precious pearls, others obtained in distant lands valuable works of art for the adornment of his palaces⁶. But all assisted him in the erection of the Temple; for this, the most splendid of his works, he forced into his service even the formidable Asmodeus, who lives on a high mountain,

¹ *Joseph. Bell. Jud. II. viii. 7.*

² *Acts XXIII. 8.*

³ *Talm. Pesach. 110^a; Chull. 105^b;*
comp. Yevam. 122^a.

⁴ Thus were interpreted the words

in *Eccles. II. 8*, "I procured mistress and mistresses" (אִשָּׁה וְאִשָּׁוֹת).

⁵ *Koran XXVII. 17*, جنود من الجن والانس والطير.

⁶ *Koran XXI. 82*, ومن الشياطين من يغمرسون له.

whence he daily ascends into heaven, to listen to the instruction which God imparts to His angels, and then to diffuse it on earth to man's misfortune. Solomon's valiant general Benaiah managed by stratagem to inebriate him; then throwing round his neck a chain on which the holy name of God was inscribed, he brought him into the royal palace. At that time Solomon was perplexed how to obtain the wonderful worm *shamir*, which had been produced towards the evening of the sixth day of Creation⁷, and which by its mere touch broke and fashioned the hardest stones; it was only by means of that worm, that the king could hope to carry out the Divine injunction, that no iron instrument should be used in the construction of the altar⁸. Therefore, when he saw Asmodeus, he at once ordered him to procure the *shamir*. After many subterfuges, the demon assisted Benaiah in wresting the worm from the prince of the sea by the aid of a certain bird, probably the hoopoe, the Arabic *hud-hud* (هدهد)⁹. When, by false and tempting promises, he had obtained release from his fetters, and had moreover secured Solomon's holy ring, he grew forthwith into a colossal giant touching the earth with his feet and heaven with his head; he devoured the king, and then vomited him forth a distance of four hundred parasangs; and assuming Solomon's form, he sat upon his throne, and consorted with his wives even during their impurity. Solomon was all this time obliged to wander about, and to beg alms for his subsistence; but at last he succeeded in seizing his signet and chain, when he held the tetragrammaton before the monster, and thus compelled him to flee¹⁰.

The demons are of both sexes, *shedim* and *shedoth*¹¹ — the Persian *Devs* and *Pairikas*. Their origin is infinitely varied. Satan was created together with Eve when she was formed from Adam's rib¹². The demons arose from the soul of Adam after his first disobedience, from the spirits of the sinful people who lived at the time of the Deluge, and from the minds of the worst of those who built the Tower of

⁷ *Pirk. Av.* V. 6.

⁸ Exod. XX. 25; 1 Ki. VI. 7.

⁹ Comp. *P. Cassel*, *Shamir*, pp. 72 *seq.*; see *supra* p. 154.

¹⁰ Comp. *Targ. Shen.* Esther; *Talm.* Gitt. 68; *Sot.* 48^b; see also *Targ. Eccl.* II. 4; *Midr. Rabb.* Cant. init. (הַיְיָ יְהוָה אֱלֹהֵינוּ וְהַיְיָ יְהוָה אֱלֹהֵינוּ . . . וְהַיְיָ יְהוָה אֱלֹהֵינוּ וְהַיְיָ יְהוָה אֱלֹהֵינוּ); *ibid.* Num. XI. 3, 6; *Jos. Ant.* VIII. 11. 5 (μαθεῖν . . . καὶ τὴν κατὰ τῶν δαιμόνων τέχνην εἰς ἐφέλκεσιν καὶ θανάτοις τοῖς ἀνθρώποις).

ποις καὶ λ.). These legends are supposed to have a parallel in the Iranian myths about the hero-king Takhmo-urupis or Tahmuraf; comp. *Ko-hut*, *Jüd. Angelog.* pp. 84—86.

¹¹ שְׁדִים, שְׁדוֹת.

¹² *Midr. Rabb.* Gen. XVII. 2, מִן הָאֵשׁ הַזֶּה נִשְׂרָף הָאָדָם וְנִשְׂרָף הָאֵשׁ הַזֶּה נִשְׂרָף הָאָדָם; *Bechai* on Gen. II. 21, p. 24^b (ad וְנִשְׂרָף — “here the letter *v* occurs for the first time, to teach that Satan — שָׁטָן — was created together with the woman”!).

Babel; and they are continually generated from the shades and misdeeds of the wicked¹, from the spine of the godless who never bend down to worship their Creator², and from unchaste dreams and nocturnal accidents³. When, after the Fall, Adam was doomed to die, he lived apart from his wife for 130 years, because he was unwilling to produce sinful and perishable beings; but during that time, both were joined by male and female demons, and became the fruitful parents of mischievous goblins and evil spirits⁴.

The demons are not less numerous than the angels; for they "surround mortals as the earth surrounds the root of the vine"; and every man has at all times thousand shedim on his left, and ten thousand on his right side, all ready to ensnare him; if he could see their crowd, he would wonder how he was able to live in the world⁵; though any one might behold them by throwing upon his eyes the ashes of certain parts of black cats⁶. They hover mainly in the lower regions of the air, which they completely fill⁷. When they descend on the earth, they delight in taking up their abode on certain shrubs or trees, as the caper-bush (סרידי) and spearwort (זכרי), in companies of at least sixty on one plant⁸, or on nut trees in groups of nine; it is, therefore, most dangerous to sleep under or near such plants. Often they dwell in ruins and deserted solitudes, which should, therefore, be scrupulously avoided⁹, or in privies¹⁰, and under gutters¹¹. It once happened, that porters, who were carrying a cask of wine, desirous of resting themselves, set down their burden beneath a gutter; not long afterwards a demon came and broke the cask. The men went to Rabbi Mar Bar Ashi, who, blowing a trumpet, summoned the spirit, and asked him sternly, why he had committed the offence? "Because they put the cask on my ears", he replied. "But you have no business", rejoined the Rabbi, "to stay at a frequented place; you must pay for the wine". A certain time was allowed him to procure the money; the term had long expired when he at last made his appearance; upbraided

¹ *Talm. Sanh.* 109^a; *Pirk. R. Eliez.* c. 34; *Yalk. Shm.* II. § 196.

² *Talm. Bab. Kam.* 16^a.

³ *Comp. Sohar* on Gen. VI. 1 *seq.*

⁴ *Talm. Erub.* 18^b; *Yevam.* 61; *Sohar* I. c.; *Midr. Rabb.* Gen. X. 10; *Yalk. Shm.* I. § 42; *Bechai* on Gen. V. 3, fol. 32^b.

⁵ *Talm. Berach.* 6^a (אנא לא ידענא, see *Rashi* in loc.), 51^a.

⁶ *Talm. Berach.* 6^a.

⁷ *Comp. Ephes.* II. 2; see also *Diog. Laert.* *Proem.* 7 (αἰθέρων πλήρη εἶναι τὸν αἶθρα); VIII. 32; IX. 7 (πάντα ψυχῶν εἶναι καὶ δαιμόνων πλήρη).

⁸ *Talm. Pesach.* 111^b.

⁹ *Talm. Berach.* 3^a.

¹⁰ *Talm. Berach.* 62^a; *Shabb.* 67^a; *Gitt.* 70^a, where very curious conceits may be read.

¹¹ *Talm. Chull.* 105^b (אנא לא ידענא, see *Rashi* in loc.).

by the Rabbi for the delay, he answered, "We have no power over things that are tied up and sealed, or measured and counted, and we must wait till we find things lying about free and unguarded"¹². — Demons abound especially in the northern parts of the earth, which, left unfinished by God as a challenge to any other deity or power to supplement the deficiency, are veiled in darkness (חַשׁ), and thence they spread over the whole world¹³.

Being active at all hours in attacking both individuals and multitudes¹⁴, they are generally divided into demons of morning, noon, and night¹⁵. Those of noon¹⁶ fall eagerly upon men while taking rest in the heat of the day¹⁷. But the most mischievous are those who roam about at night, and those that send lying and deluding dreams. Man must therefore salute no one in the dark, for it might be a demon¹⁸, nor must he sleep alone in a house on peril of being seized by a lilit¹⁹. Whosoever ventures out by himself before the morning dawn or the cockerow, must expect misfortune²⁰. Rabbi Jose, the son of Rabbi Jehudah, said, "Do not go out unattended in the night, especially on Wednesdays and Sabbaths, for then Lilith haunts the air with her train of eighteen myriads of wicked spirits, every one of which has the power of doing harm". On those nights men should drink no water, except out of white vessels after having recited "the seven voices" alluded to by David²¹, or after having uttered a certain mysterious formula²², or called some person present by name, or struck with the lid upon the vessel, or thrown something into it, or driven away Shavriri (שַׁבְרִירִי), the

¹² *Talm. Chull.* 105^b.

¹³ *Pirk. R. Eliez.* c. 3 (פִּרְקֵי רֵאֵזֶל בְּרָא); *Yalk. Shim.* II. § 263; comp. *Nachman.* on Lev. XVII. 7, fol. 96 ed. Pressb.; see also *Vendid.* XIX. 1, 140—147; *II.* XXII. 25.

¹⁴ *Talm. Kiddush.* 29^b.

¹⁵ שֶׁלֵּיל, שֶׁלֵּיל, and שֶׁלֵּיל, or שֶׁלֵּיל, (comp. *Targ. Cant.* IV. 6). Rashi, following older authorities, explains in Ps. XCI. 6 וְשֶׁלֵּיל וְשֶׁלֵּיל, "these are names of shedim, the one injures by night, the other at noon"; also on ver. 5 (שֶׁלֵּיל וְשֶׁלֵּיל) and *Targ.* in loc. (שֶׁלֵּיל וְשֶׁלֵּיל בְּהַיְיָ); comp. *Midr. Rab.* Num. XII. 4 (שֶׁלֵּיל וְשֶׁלֵּיל). (בְּהַיְיָ בְּשֶׁלֵּיל).

¹⁶ Comp. *Sepl. Ps.* XCI. 6, δαίμονια καὶ πνεύματα.

¹⁷ *Targ. Cant.* IV. 6; *id.* Ps. XCI. 5,

6. A similar superstition prevailed among the Greeks and Romans (*Philostr.* Her. I. 4), and others.

¹⁸ *Talm. Megil.* 3^a; *Sanh.* 44^a; *Erub.* 63^b.

¹⁹ *Talm. Shabb.* 151^b, אֶלֶל לִילִית בְּבֵיתָ; comp. *Berach.* 43^b.

²⁰ *Talm. Derech Erets* 25^a, sect. וְהָיָה בֵּיתָ לְבֵיתָ; *Yom.* 21^a. According to Persian notions also, the cock, that is, the bird Paródars or Kahrkatak, chases away the night-dævas; comp. *Vendid.* XVIII. 36, 40, and *ibid. Spiegel*, note on § 52; see *supra* p. 25.

²¹ Viz. Ps. XXIX. 3—5, 7—9, "the voice of the Lord is upon the waters," etc.

²² לֵּיל שֶׁן אֶנְרִיךְ אֶנְרִיךְ.

demon of blindness, by crying aloud, "My mother has warned me to heed Shavri, Vriri, Riri, Ri; I yearn for water in white vessels"¹.

At no time is it advisable to drink from any utensil without having previously poured out some of its contents, because demons may have quenched their thirst from the same vessel. When once the ministering shed of Rabbi Papa, who had been sent to fetch water from the river, was rebuked for having stayed out too long, he said, "I was obliged to wait till the bad water of which the demons had drunk, had flowed away"²; but when he saw his master pour out some of the water before he drank, he said, if he had been aware that such was his custom, he might have come back sooner. Rabbis and students of the Law are particularly persecuted by demons: their clothes wear off and tear sooner than those of other people, because "the shedim constantly rub themselves against them"³.

According to some, especially Palestinian doctors, the demons are incorporeal, or consist of air and fire; for God, having created their souls towards the evening of the sixth day, was prevented from fashioning their bodies on account of the approaching Sabbath⁴. Yet, ordinarily, they are conceived, like the angels, as being provided with wings, which enable them to move rapidly from one end of the world to the other⁵. For the sake of mischief and deception, they often assume the "image" (בְּיָמָא) of a man⁶, and, in fact, any shape; one of them, for instance, appeared as a dragon with seven heads⁷, and another taught Rabbi Chaninah the whole Law in the guise of a frog; one resembles a calf with a revolving horn issuing from the middle of the forehead, and another (Ketev) has one eye fixed on the heart, and any creature, whether man or beast, that looks at it, must die⁸. They eat and drink like men — in this respect unlike the Persian devs, who take no food, because eating in the present state of the world is a *good* thing —, and like men they propagate and die⁹. As a rule,

¹ *Talm. Pesach.* 111, 112; *Avod. Zar.* 12^b; *Midr. Rabb. Num.* XII. 2.

² *Talm. Chull.* 105^b, 106^a, עי' דרשני. טעם ודע.

³ *Talm. Berach.* 6^a, דברי טעם ודע. רבנן טעם ודע.

⁴ *Midr. Rabb. Gen.* c. vii. fin.; *Yalk. Shim.* I. § 12.

⁵ *Talm. Ohag.* 16^a; *Av. Rab. Nath.* c. 37.

⁶ Though not "the image of his

image" (בְּיָמָא דְּבְּיָמָא); *Talm. Yevam.* 122^a; *Gitt.* 66^a.

⁷ *Talm. Kidd.* 29^b.

⁸ *Midr. Rabb. Num.* XII. 4. Satan appeared once in the shape of a bird (בְּיָמָא); *Talm. Sanh.* 107^a.

⁹ *Talm. Ohag.* 16^b; *Av. Rab. Nath.* c. 37; *Nachman.* on Lev. XVII. 7. Cain was considered as the son of Eve and Sammael (*Yalk. Chad.* 1^a, § 12).

one hundred demons expire daily¹⁰; and Noah therefore took a couple of them into the Ark, lest the race became extinct¹¹: Lilith alone and her offspring are except from death. They may be bound and chained¹². Often they quarrel among themselves, nay they kill each other, and summon the aid of the pious against their opponents¹³.

They know the future which, like the angels, they hear "behind the curtain"¹⁴; yet they ought not to be consulted on Sabbath; indeed to avoid danger, it is prudent not to consult them at all; if yet their advice is sought, it should be done by means of oil or of egg-shells¹⁵. Some of them even frequent the places of worship, and study the Law like the Jews, and are hence called "Jewish devils" (שדן יידיש); thus it often happens in Synagogues on Sabbaths, that, although there appears to be ample room, the people feel inconveniently crowded, because the demons press between them to listen to the sermon or religious discussion¹⁶.

The female demons are subjected to the rule of their queen Lilith¹⁷, who is pictured with wings and long flowing hair¹⁸, and who, delighting in wild gambols, like most spectres, is called, "the evil dancer" or Mochlath¹⁹. Yet Mochlath and Lilith are occasionally treated as two distinct she-devils, the former being attended by 478, the latter by 480 companies of demons²⁰, the one dancing and singing, the other incessantly howling²¹: both live in constant enmity against each other; yet they meet in open feud only on the Day of Atonement, and while they are thus engaged in strife, the Jews are enabled to send up to God their prayers and confessions, unmolested by accusers and slanderers.

¹⁰ *Seph. ben Sir.* 9^a (quoted by *Eisenm.* Entd. Judenth. II. 417), כל יום מתים מאה שדן.

¹¹ *Bechai* on Gen. VI. 19 ad פ'ם, p. 37^a (פ'ם יידיש באר): they came of themselves into the Ark, and are hinted at in the words כל ב' (Gen. VII. 14) — שדן שדן באר.

¹² *Pirk. R. Eliez.* c. 45; *Talm. Berach.* 6^a.

¹³ *Yalk. Shim.* II. § 680.

¹⁴ *Talm. Chag.* 16^a; *Av. Rab. Nath.* c. 37; *supra*, p. 308.

¹⁵ שדן שדן יידיש לטאל ב'ן; *Talm. Sanh.* 101^a.

¹⁶ *Talm. Berach.* 6^a, מאי יידיש שדן ב'ן יידיש שדן.

¹⁷ *Talm. Gitt.* 68^a.

¹⁸ *Talm. Erub.* 100^b; *Nidd.* 24^b; she is considered to correspond to the Persian *Būshyancta*, the female demon of indolence and sleep.

¹⁹ מ'ם שדן; *Talm. Pesach.* 112^b; *Midr. Rabb.* Num. XII. 4 (מ'ם שדן); comp. *Isai.* XIII. 21.

²⁰ According to the numerical value of their respective names מ'ם and מ'ם.

²¹ According to the real or supposed meaning of their names, from מ'ם and מ'ם.

Moses put him to flight, and pleaded for the people¹¹. When the arch-angels Gabriel and Michael shrank from the Divine behest of taking away the soul of the great lawgiver, Sammael was entrusted with the mission. He found Moses writing the holy name of God, his face radiant like the sun, and in appearance like an angel. The prophet, recounting the great deeds of his life, refused to give up his soul to the demon, who, returning to God, asked for fresh instructions; and when the charge was renewed, Sammael rushed with his drawn sword upon Moses, who by touching his adversary with his staff, forced him to flee; he pursued him with the holy name of God, tore off his horn from between his eyes, and struck him with blindness; whereupon God Himself, accompanied by the three arch-angels Gabriel, Michael, and Sagsagel, took back the soul of His greatest and most faithful prophet¹². Undaunted by the failure of his subordinate, Satan now contended with Michael for the privilege of burying the body of Moses, but he was as signally humiliated as Sammael; and the great chief was buried by "immortal powers"¹³.

All these conceptions, however strange and fanciful, contrast favourably with their Persian prototypes: Ahriman and Ormuzd are "twins", both existed from the beginning, and the former is a creator like the latter; whereas the Jewish Satan, not coeval with God, was created like the angels and like men; he was originally even a good spirit, a great prince in heaven¹⁴, endowed with twelve wings, while the Seraphim have only six and the Chajoth four; but when he grew contumacious, he was expelled from the celestial abodes, and then he rode down to the earth upon the back of the serpent; but finally he will be curbed by the Messiah, who will at the same time subdue death, and bring hell within the boundaries of Paradise¹⁵; then he will be thrown into the flaming abyss¹⁶, and, in the time of resurrection, will be attacked by the angel Gabriel and annihilated for ever¹⁷.

Yet in spite of this moderation, which is more prominent in the

¹¹ *Midr. Rabb.* Exod. XLIII. init.

¹² *Midr. Rabb.* Deut. XI. 4; *Yalk. Shim.* I. § 940, fol. 304 col. 2, 3.

¹³ *Philo*, Vit. Mos. III. 39 (ἐτάφη... χρεῖν οὐ θνήσκει; ἀλλ' ἀθανάτοις δυνάμεσιν); Jude 9; comp. *Lightfoot*, Op. I. 353; see also *Midr. Rabb.* Exod. XVIII. 2, "Michael and Sammael stand before God, Satan accuses, and Michael defends Israel; Satan speaks

again, but is at last silenced by Michael."

¹⁴ *Yalk. Shim.* I. § 25, יְהוָה בְּרַחֲמָיו בְּרַחֲמָיו בְּרַחֲמָיו.

¹⁵ *Midr. Rabb.* Gen. XXX. 5; *ibid.* Num. V. 12.

¹⁶ This ultimate triumph is typified by a light preserved under God's throne; comp. *Talm. Succ.* 52^a; *Yalk. Shim.* II. § 359.

¹⁷ Comp. *Talm. Bab. Bathr.* 75^a.

Palestinian doctors who were less exposed to Persian influence, it would be erroneous to represent the Jewish demonology as a harmless fancy, and to consider the spirits, not as powers of mischief, but simply as "wayward goblins". The shedim bear the distinctive names of "injurers" and "destroyers"¹; they send every kind of disease and infirmity, as heart-burn, erysipelas, and asthma², leprosy of garments and of houses; even death is inflicted by the demons Ketev (כֶּטֶב) and Meriri (מֵרִירִי)³; these rage most fiercely during the three weeks preceding the anniversary of the destruction of Jerusalem, killing any one who happens to look at them, and in this manner king Hezekiah is believed to have met his death⁴. The shedim fill the whole world, and if those shut up in the depths of the seas were to be let loose, they would destroy the whole earth⁵. They keep man in perpetual alarm, and force him to unceasing warfare. They have indeed, like Satan and Ahriman, no power over the pious; they keep aloof from those who are praying, or studying the Law; and they may be disarmed by prescribed exorcisms and incantations⁷. But who can look upon himself as perfectly pious? And who can maintain a breathless study of the Law and unbroken devotions, or be ever ready with potent spells, to ward off the terrible hosts?

The preceding sketch, it is hoped, will help to illustrate the history of monotheism in its various stages, as reflected in the Hebrew Scriptures, the Apocrypha, and the New Testament. It will be easy to decide how far there is truth in the popular view that the Jews returned from the Babylonian captivity "a people of Puritans", averse to all material notions of the Deity, and how far they adhered to the lofty spiritualism of the prophets; and the reader will be able to trace the sources from which the demonology of the Talmud, the Fathers, and the Catholic Church has been derived. No one indeed can fail to perceive, that the later Jewish authorities, however they may have enlarged or modified the earlier conceptions of the supernatural world, never ceased to look upon God as the absolute Lord of all created beings, though the danger of

¹ שְׂדֵימ, שְׂדֵימִי, שְׂדֵימִי.

² שְׂדֵימִי, καρδιαξός, καρδιαλγία.

³ *Talm. Gitt.* 67^b; *Sanh.* 101^a.

⁴ *Deut.* XXXII. 24; comp. *Ps.* XCI. 6.

⁵ *Midr. Rabb.* Num. XII. 14, שְׂדֵימִי יִשְׁמְדוּ אֶת הָאָדָם וְאֶת הַבְּהֵמָה וְאֶת הָעוֹף בַּיָּם וְאֶת הָעוֹף בַּשָּׁמַיִם.


⁶ *Bechai* on *Exod.* XX. 4, p. 70^a

וְהַשְׂדֵימִי הוּא הַשָּׂטָן הַגָּדוֹל הַזֶּה הַיּוֹדֵה לַעֲבוֹדָתוֹ וְלַעֲבוֹדָתוֹ הַגָּדוֹל הַזֶּה.

⁷ *Talm. Macc.* 10^a; *Shabb.* 30^b; *Kiddush.* 29^b; *Sanh.* 44^b; etc.; comp. *Bundehash* c. 1.

adopting a double principle was not always avoided*: yet the numberless spirits, recognised as real powers both by the people and their learned teachers, and the assumption of a busy interference of those beings in all the concerns of life, plainly implied the desertion of an unqualified monotheism. Dividing man's attention in many directions, they could not fail to disturb that harmony which flows from the principle of one all-pervading and all-ruling Deity.

* Comp. *Talm. Chag.* 15^a; Acher (Elisha ben Abujah) recognised ~~two~~ ~~many~~, see p. 298 note 3.



TRANSLATION AND COMMENTARY.

CHAPTER XVI.

SUMMARY. — After the death of Aaron's two eldest sons, God commands him through Moses to enter the Holy of Holies only on one day of the year (vers. 1, 2), and then not in his usual official robes, but exclusively in garments of white linen; on that occasion he is to provide himself with a young bullock for a sin-offering, and a ram for a holocaust, while the people has to furnish two kids of the goats for expiation, and a ram for a holocaust (vers. 3—5). While he is preparing to offer up the bullock, the two goats are placed at the entrance of the Tabernacle, and by lot he sets apart one of them for God, and the other for Azazel, to whom it is to be sent into the wilderness; he appoints the one as a sin-offering for the people, and expiates the other by causing it to stand at the Tabernacle "before the Lord" (vers. 6—10). He now sacrifices the bullock as a sin-offering, to secure atonement for himself and the whole priesthood (ver. 11). Then taking a censer and filling it with live coals from the brazen Altar in the Court, and two handfuls of pounded incense, he enters the Holy of Holies for the first time; there he throws the incense on the coals, so that the rising cloud covers the Mercy-seat on the Ark (vers. 12, 13). Returning to the Court, he takes some of the blood of the bullock, enters for the second time the Holy of Holies, and sprinkles a part of the blood with his finger on the front or eastern side of the Mercy-seat itself, and a part, by a sevenfold aspersion, on the ground before it (ver. 14). He goes back to the Court, where he deposits the vessel with the remaining blood of the bullock; kills the goat appointed as a sin-offering for the people, passes a third time into the Holy of Holies with some of the blood of that goat, and proceeds with it exactly as he has done with the blood of the bullock (ver. 15): thus the expiation of the Holy of Holies is completed (ver. 16). Now he returns to the Court, puts some of the bullock's blood (which he had left in the Court) together with some of the goat's blood (which he still holds in his hand) all round the horns of the brazen Altar, and sprinkles seven times upon its surface: thus he expiates the Holy and the Court (ver. 17—19). Now he orders the live goat to be brought to him; he lays both his hands upon its head, confesses all the sins of the people, and transfers them to the animal, which a man, appointed for the purpose, leads into a lonely part of the desert (vers. 20—22). The High-

priest now enters again the Holy, where he lays off the linen garments; he then bathes himself in water and puts on his splendid official vestments. Appearing in the Court, he sacrifices the two rams as holocausts, the one for himself, and the other for the people; and thus the expiation is finally accomplished. He throws the fat and the fat parts of the two sin-offerings into the flames on the brazen Altar (vers. 23—25); while the flesh of both victims with their skins and their dung is burnt beyond the boundaries of the camp; the man who performs this duty becomes unclean, and must bathe himself and wash his garments before he is allowed to return into the camp; and the same lustrations are required of the person who takes the goat to Azazel into the desert (vers. 26—28). — These ceremonies shall, in perpetuity, be performed by the High-priest every year on the tenth day of the seventh month, when all the members of the Hebrew community, both natives and strangers, are to fast and to abstain from any work whatsoever (vers. 29—34).

1. And the Lord spoke to Moses after the death of the two sons of Aaron, when they approached be-

1, 2. The varied compilation of Leviticus attempts, though with indifferent success, a certain continuity or even system of arrangement. The hand of the final reviser, labouring to reduce the miscellaneous materials at least to some semblance of unity, is manifest in various links and transitions; and it is unmistakable in the connection which he desires to establish between a preceding narrative and the rituals of the Day of Atonement: Nadab and Abihu died because they had entered the Sanctuary in an unlawful manner and at an irregular time (X. 1, 2) — thus the High-priest, if he wishes to avoid a similar catastrophe, must not go into the Holy of Holies at all seasons, but only on one day in the year, and has then to perform certain minutely prescribed ceremonies. Yet this connection is slight, if not artificial; and the Day of Atonement is so circuitously and so indirectly approached that its date and nature are only mentioned at the end of a long description, as if by way of appendix (vers. 29 *seq.*). This peculiarity of style adds weight to the internal evidence which tends to

prove, that we have before us the first written law on the Day of Atonement, which is not even mentioned by its current name (*יום כיפור*); and it stands in marked contrast to the clear and precise injunctions later given on the same subject: "Also on the tenth day of this seventh month there shall be a holy Day of Atonement; it shall be a convocation to you; and you shall afflict your souls, and offer an offering made by fire to the Lord. And you shall do no work in that same day; for it is a Day of Atonement, to make an atonement for you before the Lord your God . . . It shall be to you a perfect Sabbath, and you shall afflict your souls: in the ninth day of the month in the evening, from evening to evening, shall you celebrate your Sabbath" (XXIII. 27, 28, 32; comp. also Num. XXIX. 7—11).

But it must be confessed that, up to a certain point, the means prescribed are thoughtfully adapted to the ends which they were intended to serve; and they embrace almost the whole of the impressive ritual which an advanced hierarchy had been able to devise. In unfolding the text we may,

fore the Lord and died; 2. And the Lord said to Moses, Speak to Aaron thy brother, that he must not come at

therefore, find opportunities of pointing out the genius of Hebrew symbolism.

It would hardly be possible to carry farther than is done in these ordinances, the caste-like division of the people and, in exact correspondence with it, the strict separation of the different parts of the Tabernacle (comp. Exod. XL. 34, 35; Num. IV. 15, 19; see Comm. on Lev. I. pp. 578, 588—591). The manner in which the High-priest had to prepare himself for his functions, was scrupulously prescribed by Jewish tradition. Seven days before the festival, he was separated from his wife, and conducted into a special cell (מִקְדָּשׁ). During this week he zealously practised the numerous manipulations required by his office; and the elders read and expounded to him the ordinances of our chapter. In the night from the ninth to the tenth day of Tishri, when it was deemed expedient to ward off sleep, he explained the rituals, if he was a scholar; and if not, they were explained to him by others; or he read, and if he could not read, others read to him, from interesting Books, such as Job, Ezra, the Chronicles, and Daniel. Should drowsiness overcome him, the priests were to keep him awake by all possible means, as by snapping their fingers, or by making him walk on the cold pavement of the Court. Thirteen priests were appointed by lot for the ordinary duties of the festival. When the ashes had been removed from the brazen Altar, and the chief of the priests (הַכֹּהֵן הַגָּדוֹל or קֹהֵן) had ascertained that morning had dawned, and the time for the early sacrifice had arrived, the High-priest was conducted to his

bath, and the ceremonials of the day commenced (*Mishn. Yom. I. 1—III. 2*). To meet the emergency of his becoming disqualified for the service, a substitute was selected.

PHILOLOGICAL REMARKS.—The presumed connection of our chapter with the completion of the Tabernacle (*Wechsler l. c. p. 121.*), which was erected on the first day of the *first* month (Exod. XL. 2), is not obvious. The statement with regard to the golden Altar in Exod. XXX. 10, "And Aaron shall make an atonement upon its horns once in a year with the blood of the sin-offering of atonement", is hardly the germ out of which the institution of the Day of Atonement with its complex ceremonials has grown (*Gramberg, Rel. Id. I. 123*); the statement seems, on the contrary, to refer to that institution as firmly established; it implies, therefore, an instructive hint as to the date of the Pentateuch and the mode of its composition (p. 278). An artificial division of the chapter into *ten* commands has here also been proposed by Bertheau (*Sieben Gruppen*, pp. 193—196), but with the usual unsatisfactory result; he assumes that new injunctions begin at each of the eight verses which contain the name of Aaron up to ver. 25 (viz. at vers. 2, 3, 6, 8, 9, 11, 21, 23), that two more commence with vers. 26 and 27, while vers. 29—34 are merely an exhortatory appendix — as if the injunctions of fasting and complete rest were not as essential as any other command of our chapter. — *הֵלֵךְ* *their coming near* is the construct infinitive Kal with the feminine termination (*הֵלֵךְ*, Exod. XXXVI. 2; comp. XL. 32), like *הֵלֵכָה*, *הֵלֵכָה*, *הֵלֵכָה*, etc; see Gramm. II.

all times into the Sanctuary within the vail before the Mercy-seat which is upon the Ark, lest he die; for I appear in the cloud upon the Mercy-seat.

3. Thus shall Aaron come into the Sanctuary: with a young bullock for a sin-offering, and a ram for a

§. XXXIX. 1. The translation of וַיֵּשֶׁב as a transitive verb is, therefore, incorrect (so Sept. $\text{ἐν τῷ προσφύρειν αὐτοῦς κύρ ἀλλότριον}$; comp. X. 1, $\text{וַיֵּשֶׁב אֶת־הָעֵם}$; Vulg. offerentes ignem alienum; Engl. Vers. when they offered before the Lord; etc.). — The High-priest was to expiate the people on one day of the year (ver. 34), yet was he, on that day, to enter the Holy of Holies, not merely once (אַרְבָּעִים , Hebr. IX. 7), but four times, as the detailed rituals show (see Summary). — וַיֵּשֶׁב (ver. 2) is in this chapter frequently employed for the Holy of Holies (so vers. 3, 16, 17, 20, 27), and is described with great minuteness as the place "within the vail, before the Mercy-seat which is upon the Ark" (Sept. $\text{τὸ ἅγιον τὸ ἐνώπιον τοῦ κατακλίσματος}$); it is once called וַיֵּשֶׁב (ver. 33), and not as usual וַיֵּשֶׁב (Exod. XXVI. 33, 34; Lev. XXI. 22; Num. IV. 19; etc.). — The words וַיֵּשֶׁב can hardly have any other meaning than that pointed out above (similarly Sept., Vulg., Targ. Jer., Rashi, Saad., Ebn Ezr. a. o.); they cannot fitly signify that whenever the High-priest enters the Holy of Holies, he must produce a cloud over the Mercy-seat by fumigation (comp. ver. 13); for if that were the only condition, he might enter any number of times; moreover, the cloud in which God *appears* (וַיֵּשֶׁב) is the very reverse of the cloud of incense intended to *veil* His presence or its sacred symbol; and the former is always of miraculous or Divine origin, while the latter is not. — The Masoretic accentuation of the second verse is strange; the ath-

nach which is under וַיֵּשֶׁב would more appropriately stand under וַיֵּשֶׁב ; it has been supposed that that accentuation is meant to express the view of the Pharisees, that the High-priest was to throw the incense on the coals in the Holy of Holies itself (vers. 12, 13), though at some distance from the Ark, in opposition to the view of the Sadducees, who held that the incense was to be put on the coals already in the Court, since it could not reverently be done "before God", and since otherwise the High-priest, when entering, would see the Ark (*Talm. Jer. Yom. 39^a ed. Krotsch.; Talm. Yom. 19^b, 53^a*): with the received accents the words in question are to be thus translated — "Speak to Aaron thy brother that he must not come at all times into the Sanctuary within the vail, nor must he proceed to the Mercy-seat which is upon the Ark" (comp. Geiger, Jüd. Zeitschr. II. 29—31). There can be no doubt that the fumigation commenced in the Holy of Holies itself (ver. 13); and the Biblical text is unconcerned about the Pharisaic scruples that the High-priest, after having passed through the vail from the Holy, might possibly see the Ark.

3—5. In harmony with the general rule that the victim or offering presented must be the property of him who presents it, the High-priest was obliged to procure from his private means a young bullock and a ram, by which his own atonement and that of his order was to be wrought, while the people had to provide for their purification two

burnt-offering. 4. He shall put on a holy linen tunic, and he shall have linen drawers upon his flesh, and shall be girded with a linen girdle, and with a linen mitre

kids of the goats and a ram. For though the religious chief of the nation stood on a high eminence of sanctity, because he was endowed with the spirit of God, he was never declared sinless or infallible; he was "the holy of the Lord" in so far as he alone was appointed to act as intercessor for the people at the throne of mercy; but in every other respect, he was not above the meanest of the nation; he had to strive by every effort to preserve or to restore his moral purity; and, like all mortals, he depended on the compassion of God the Judge. Therefore, he had indeed to present for his sin-offering the *victima maxima* — a young bullock — as a mark of his high position in the theocratic commonwealth, but he was to offer it, and indeed to perform all the subsequent ceremonies of expiation, not in those splendid vestments made for "glory and distinction" and proclaiming his exalted prerogatives both by their costly materials, their skilful workmanship, and their symbolical significance, but in "holy garments" of plain white linen — linen being the ordinary material for priestly robes throughout the ancient world, and the white colour typifying purity and meekness —; and those garments were to consist not of eight, but, like those of the ordinary priests, of four pieces only — the tunic, the drawers, the girdle, and the mitre (מִצְנֶפֶת): of these none but the last-named indicated superiority over the other members of the priesthood, whose head-covering, so characteristic in Eastern official attire, was a lower and less striking "turban" (טַבְּרָן; see Comm. on Lev. I. 101, 102, 531).

But, on the other hand, the High-priest, though in ordinary times merely equal in dignity to the community as a whole, stood above it on the Day of Atonement, when he alone officiated by virtue of his special election and exceptional holiness, and when, more than on any other occasion, it was evident that "the crown of the anointing oil of his God was upon him" (XXI. 12). While his sin-offering, therefore, was a bullock, that of the people was only a kid of the goats; this was sufficient to mark the difference suggested by the spirit of the ceremonial. Such was obviously the view taken by the author of our chapter; and thus only can we account for the opposition in which these injunctions stand to a general law prescribing that the sin-offering both of the people and of the High-priest shall be a young bullock, even for individual and ordinary transgressions throughout the year (IV. 3, 14). How this palpable contradiction may be historically explained, we have attempted to point out elsewhere (Comm. on Lev. I. pp. 40, 41; comp. also Num. XV. 24). — To the remarks made before (I. 101, 102) on the meaning attached to the white colour, we may join a few additional illustrations. A usual morning salutation among the Arabs is, "May thy day be white"! to which the inevitable reply is, "May thine be like milk"! (comp. *Burckhardt* Bed. p. 297). Pythagoras declared, that "white is an indication of good nature, and black of a bad one" (*Diog. Laert.* VIII. 35). Therefore, angels and holy men were commonly represented as clad in garments "white as snow", especially of linen, for fine

shall he be attired: these *are* holy garments; and he shall wash his flesh in water, and put them on. 5. And he shall take of the congregation of the children of Israel

"white linen is the righteousness of saints". The Greek and Roman priests, varying the colour of their garments according to the deities they served, offered their sacrifices to Ceres in *white* robes (see Dan. VII. 9; X. 5; Ezek. X. 2; 4 Ezr. II. 39; XLIV. 45; Henoch LXI. 18; Matth. XXVIII. 3; Rev. III. 5; IV. 4; VI. 11; VII. 9, 14; etc.; and *supra* p. 290; comp. also *Plato*, Legg. XII. 7; *Ovid*, Fast. VI. 619; *Gell.* Noct. Att. X. 15).

PHILOLOGICAL REMARKS. — Josephus (*Ant.* III. x. 3) observes distinctly, that the bull sacrificed by the High-priest for himself was not furnished by the people but ἐκ τῶν ἱερῶν ἀναλωμάτων τοῦ ἀρχιερέως. — The High-priest was, on the Day of Atonement, indeed not to wear the "golden" (בָּנִיָּה) but the "white garments" (בְּגָדֵי לָבָן), nor was he even to be "distinguished by a greater number of garments" (מִרְבֵּי בְּגָדֵי); yet it would be quite inappropriate to consider the linen raiments of resplendent white as unsightly "robes of mourning or penance", like "sackcloth and ashes" (Baumgarten, Keil, a. o.). We have already referred to the surprising divergence between the statements of Josephus and those of our passage; for he observes, that the white garments were used on all ordinary occasions, the golden ones only on the Day of Atonement, or also on the three great festivals (*Bell. Jud.* V. v. 7; *Ant.* XVIII. iv. 3; see *Comm.* on Lev. I. 575, 581); and it has not unnaturally been supposed that the text of Josephus is corrupted. In the time of the second Temple, it was customary for the High-priest to wear in the morning the "golden" vestiments at the ordinary or daily

burnt-sacrifice and the other regular ministrations in which he took part; and then, before he commenced the rites of expiation peculiar to the day, to put on the white garments, of which he possessed two sets, the one of Egyptian (Pelusian), the other of less expensive Indian linen; the former he wore in the earlier part of the day, the latter towards the evening when he brought the censer out of the Holy of Holies; for both sets the community allowed him 30 minae, to which, however, he might add at pleasure from his own means (*Mishn.* Yom. III. 4, 6, 7). — רַחֲטָה (ver. 3) "with this" or thus, the feminine standing for the neuter; see *Gramm.* § 84^b. — מִלְּבָשָׁתִּי (ver. 4), a euphemism, Vulg. feminalibus lineis verenda celabit (comp. XV. 2 and notes in loc. p. 256). — מִלְּבָשָׁתִּי is the general and usual term for the pontifical vestments (*Exod.* XXVIII. 2, 4; XXIX. 29; XXXI. 10; XXXV. 19, 21; XXXIX. 1, 41; XL. 13). — The Samar. Vers. renders מִלְּבָשָׁתִּי (ver. 4) by מִלְּבָשָׁתִּי evidently connecting מִלְּבָשָׁתִּי with the Arabic *بأبيض* to be white (similarly in ver. 32 and VI. 3). — According to tradition, the two goats ought to be like each other in colour (בְּבָרִיא), in size, in value, and in purchase money (פְּדוּתָם), though, in practice, this rule was not insisted upon (*Mishn.* Yom. VI. 1; comp. *Epist. Barn.* c. 7; *Yalk. Shim.* I. § 572). — Minute regulations were fixed in case one of the goats died before the Day of Atonement, whether previous to or after the decision of the lot: in the latter case a new pair was provided, and the survivor of the original couple was "fed till it became faulty" (מִלְּבָשָׁתִּי), when it was sold, and the

two kids of the goats for expiation of sins, and one ram for a burnt-offering.

6. And Aaron shall bring near the bullock of the sin-offering which *is* for himself, and make an atone-

money paid into the sacred treasury, though one Rabbi thought the animal ought to be starved to death (*Mishn.* Yom. VI. 1). — זָבַח (ver. 5) does not exactly signify *for a sin-offering*, as the one goat was no sacrifice (see p. 295), but more generally *for expiation of sins* (Sept. $\text{\pi\epsilon\pi\iota\delta\mu\alpha\tau\iota\sigma\iota\varsigma}$); זָבַח is indeed strictly sin-offering, but the author used that term for the sake of brevity, because it applies to the *principal* goat.

6—10. After the refined conceptions of the preceding verses, it is not a little startling to meet with a notion befitting, not the final, but the most rudimentary stage of religious education — the notion of the evil demon or devil Azazel, the author and the originator of sin, inhabiting deserts, and receiving back, through the medium of a goat, the trespasses to which his malignity has incited the Hebrews. The anachronism is indeed so surprising that it would leave the expositor in helpless perplexity, did not the history of the time in which this chapter was composed, afford a sufficient clue, which, in its turn, furnishes a strong corroboration of our conclusion concerning the date of the section. The preceding treatises attempt to elucidate this subject.

The ideas here conveyed nearly coincide with those of the Book of Zechariah (written about B. C. 520). In the latter work we read, that the High-priest Joshua was standing before the angel of the Lord, while Satan appeared at his right side to oppose him; but God said sternly to the evil demon, "The Lord rebuke thee, O Satan, even the Lord that

has chosen Jerusalem rebuke thee"; whereas He addressed the High-priest with these comforting words, "I have caused thy iniquity to pass from thee"; and in confirmation of this assurance, Joshua's unclean garments, the symbols of his own and the people's sins, were replaced by raiments spotless and festive (Zechar. III. 1—4). The analogies are so striking that an acute theologian has declared the passage in Zechariah to be "the oldest commentary on our chapter preserved to us" (*Hengstenb. Bücher Mose's und Aeg.* p. 168): but the relation between the two sections is rather the reverse; our chapter, if not exactly a commentary on the passage in Zechariah, is a *development* of the notions it implies; for the Azazel of Leviticus is a *later* phase of the Satan of Zechariah; and the Day of Atonement with its remarkable rites was instituted *after* the time of that prophet (comp. Rev. XII. 10, 11). If the Satan of Zechariah appears as the more malignant spirit, not content to remain in the background, and is neither dreaded nor propitiated, it ought not to be forgotten how zealous in doing mischief Azazel must have been considered, as all the sins of the people were attributed to his instigation.

In Apocryphal and later Jewish writings, the character, life, and fate of the demon Azazel or Azael (אֶזַזֶּל) — for both names seem identical — are more fully unfolded. He was originally a good angel, and one of the chiefs of the two hundred who went down to the earth, stayed longer than the lawful time of seven days, and held carnal intercourse with mortal

ment for himself and for his house. 7. And he shall take the two goats, and let them stand before the Lord at

women, upon which they were converted into evil spirits (see pp. 308, 311; Henoch VI 2—8; LXIX. 2). As such they instructed the women in sorcery, incantations, and conjuring by means of cut roots and faggots (Hen. VII. 1; comp. *Jos. Bell. Jud.* VII. vi. 3; *Ant. VIII. ii. 5*). Many of them made men familiar with various pernicious and alluring arts (Hen. VIII. 3). Thus Azazel, the most dangerous of all, taught them the manufacture of swords and knives, shields and armours, of looking-glasses and trinkets, and the use of the dyes and of paint for the face and the eye-brows, of the precious stones and the metals; he introduced, in fact, both instruments of destruction and articles of effeminating luxury (Hen. VIII. 1; comp. however LXIX. 6); he above all others fostered moral corruption among men, and he was occasionally aided by Semjaza himself, the chief of the fallen angels (IX. 6, 7; X. 8, 11). Incensed at his evil works, the arch-angels accused him before God, that "he diffused all iniquity on earth", disclosed to the world the heavenly mysteries (IX. 6), and incited men to blasphemy, violence, and crime (XIII. 2). Then God commanded Raphael to throw him with pinioned hands and set into a pit in the desert of Dudael, to pile upon his body a heap of sharp stones, and to encompass him with dense darkness; and in this condition he remains until the great day of judgment, when he will be hurled into the burning abyss, together with his subordinate host of malignant demons (X. 4—6; XIII. 1, 2; LIV. 5; LV. 4; comp. LXIX. 1 *sqq.*; 2 Pet. II. 4; Jude ver. 6).

If surprise be felt at the distinguished position which Azazel, here

introduced for the first time, later occupies in the spirit world, it should be remembered, that promotions of rank were not unusual in Hebrew demonology; thus Asmodeus, at first only a lascivious goblin, gradually rose to the dignity of prince of demons; and Satan himself grew step by step in attributes and power. Azazel must have been a prominent figure in popular belief before he could be employed for the part here assigned to him in the ritual of the holiest day of the year. The sources of the Jewish fictions respecting his nature and his sphere of activity, are not the obscure allusions made to him in our chapter, but the Eastern legends which for centuries had been gathered round his person.

While the High-priest was casting lots for the two goats, the young bullock intended for his own sacrifice was standing in the Court, and by so waiting in the sacred place, it was supposed to be hallowed, exactly as Azazel's goat, by waiting at the door of the Tabernacle or "before the Lord", was cleansed, and rendered fit to be used for its important purpose (vers. 6, 10). Both goats were indeed meant to effect complete obliteration of transgressions (כִּסְיוֹתָם), and both alike were subjected to the Divine decision of the lot; yet it would be too much to consider both virtually as *one sin-offering* presented to God; the two worked out the desired object in a very different manner; the one was a victim intended to atone for sins, the other carried away sins already atoned for; the one was dedicated to God, the other to a different power (ver. 8). Therefore, they represented indeed no proper dualism; yet they implied the acknowledg-

the door of the Tent of Meeting. 8. And Aaron shall cast lots upon the two goats, one lot for the Lord, and

ment of two opposite and opposing forces in the moral world, since Azazel, though passive in the ceremonial of the Day of Atonement, was considered to have been most active throughout the year as a tempter and instigator to sin.

The lots consisted of small tablets of box- or ebony-wood (אֲזָזִים) or of gold, and were kept in a wooden chest. Accompanied by the head-priest (אֲהֹרֹן) and the chief of the hebdomadal division (אֶלֶף בִּרְאָה), the High-priest rapidly took out one lot with each hand, and put that which he held in his right hand upon the goat that was standing on his right side, and that in his left hand upon the goat at his left side, exclaiming at the proper time, "To the Lord a sin-offering!" This was the practice in Herod's Temple (*Mishn. Yom. III. 9; IV. 1*); but as our text speaks of the lot "coming up" (אֲזָזִים, vers. 9, 10), it seems probable that, in earlier times, the usual method was observed of shaking the vessel till one lot "came up" or "came out" (אֲזָזִים; Num. XXXIII. 54; Josh. XVIII. 11; XIX. 1, 10, 17, 24, 32, 40). On the head of Azazel's goat a red woollen thread was tied (אֲזָזִים כֶּלֶם אֲדָמִי), the colour symbolising the sins that were put upon the animal; and it was expected that finally that red thread would turn white, the colour of innocence and forgiveness. — As God and Azazel are contradistinguished, so are the Sanctuary and the wilderness, the one the abode of life and serenity, of blessing and holiness, the other a place of dreary isolation and hopeless sterility, and therefore the suitable haunt of goblins and evil spirits, who from their gloomy solitudes delude and mislead the minds of men. Moving

in the same circle of ideas, the Talmud declares, that at the time of the Messiah, "the seducer (אֲזָזִים) will be driven into a deserted and desolate land, where he will find no human being against whom he can employ his wily arts" (*Talm. Succ. 52*).

PHILOLOGICAL REMARKS. — The term אֲזָזִים (in ver. 6) is to be taken in its literal sense, "and Aaron shall *bring near* the bullock of his sin-offering"; for the killing or offering ensues later, after the lots have been cast for the goats (ver. 11). — Aaron's "house" (בֵּית־אֲהֹרֹן) means the whole priesthood forming one family, of which the High-priest is the head. — The word אֲזָזִים from the root אָזַז (אָזַז) to retreat, to work in seclusion, stands probably for אֲזָזִים, the repetition of the two last radicals intensifying the notion of loneliness (as אֲזָזִים for אֲזָזִים, אֲזָזִים for אֲזָזִים; comp. אֲזָזִים for אֲזָזִים, אֲזָזִים and Syr. אֲזָזִים skull; etc.; see Gramm. II. p. 100; *Gesen. Lehrgeb.* p. 869; *Ewald, Lehrbuch*, § 158. c.); and it is probably identical with אֲזָזִים, which occurs also in Henoch ('Αζαήλ), besides 'Αζαλζήλ and 'Εξαήλ. There can be no doubt whatever that Azazel is a *personal*, a *superhuman*, and an *evil* being — in fact a wicked demon. This is so obvious, that it would never have been questioned but for dogmatic reasons. The eighth verse is in itself decisive — "one lot shall be for the Lord (אֲזָזִים), and one lot for Azazel (אֲזָזִים)": we have here a clear antithesis; and as "the Lord" is a personal Being, so is "Azazel"; but as the one is appeared by a real sacrifice at the altar, the other receives back his due in the lonely desert frequented by unholy spirits. This acceptation fully suits all passages — "the goat on which Azazel's

the other lot for Azazel. 9. And Aaron shall bring the goat upon which the Lord's lot fell, and appoint it

lot fell" (לֹאֵלֶּךְ לְאִזָּזֵל, ver. 10); "to send it to Azazel into the wilderness" (ibid.); and "he that takes away the goat to Azazel" (ver. 26). It was adopted by many Rabbins, some of whom identified Azazel and Sammael (see p. 316), or regarded the goat sent to the former as "a bribe" to the latter (*Pirk. R. Eliez.* c. 46), or as an atonement for the conduct of Uza and Azael (p. 200; *Talm. Yom.* 67^b; *Yalk. Shim.* I. § 572); and it was approved of by early Christian writers who identified Azazel with Satan (*Origen.* C. Cels. VI. 43, p. 305 ed. Spencer; *Iren.* Adv. Haer. I. 12; *Epiphan.* Haeres. XXXIV. 11), and by many later and modern scholars (as Spencer, Ammon, Rosenm., Cölln, Gesen., De Wette, Ewald, Vatke, Hengstenb., Maurer, Baumgarten, Reinke, Fürst, B. Bauer in *Stud. und Krit.* 1865 p. 351; Knobel, Hoelemann, Keil, Haevernick, a. o.; comp. also *Eisenmenger*, *Entd. Judenth.* II. 439, 440), though they differ in the identification of the demon, and in the explanation of some details of the ritual. The objections which have been raised against this view, are of little weight. Thus it has been urged that "the belief in an evil demon, to whom a goat bearing the people's sins might be sent, cannot be proved before the Babylonian exile" (*Winer*, *Real-Wörterb.* II. 659; *Ewald*, *Krit. Gram.* p. 243; *Gesen.* *Thes.* p. 1012): but our chapter was not written before the Babylonian exile; its date is considerably later than the Book of Job with its active Satan, and even later than the Book of Zechariah with its more developed Accuser; Azazel is, therefore, not merely "a liturgical idea"; nor is he "an isolated being" unconnected with there-

ligious system of the Hebrews (*Winer* l. c. 384): appearing as the representative of every guilt and trespass, he is analogous to, if he does not coincide with, Satan, who occupies a clearly defined position in the history of Jewish theology. Hence it is hardly necessary to reply to the remark that "the Mosaic Azazel cannot be a heathen demon, since Moses never adopted such plain elements of polytheism", but that he is "the angel of destruction", who overthrew Sodom, killed the Egyptian firstborn, and decreed pestilence against David (*Movers*, *Phoenix.* I. 369): is it more "Mosaic" to regard Azazel as a power co-ordinated to God and independent of Him? — But the view we have adopted appears even more acceptable if we glance at other opinions, most of which have been prompted by the desire of ridding the text of the obnoxious evil demon. Azazel has been regarded as the name of the goat itself, the word לֹאֵלֶּךְ being derived from לָךְ and לָא to go away; so the Septuagint (vers. 8, 10) and Philo (ἀποπομπᾶτος the goat that is to be sent away, which word hardly coincides, as Gesenius believes, with Ἀποπομπᾶτος, Ἀλεξίλατος, Deus Averruncus), Symmachus (τράγος ἀπερχόμενος), Aquila (ἀπολλυόμενος), Theodotion (ἀφίμενος), Vulgate (caper emissarius), Luther (der ledige Bock), English Version (scapegoat); and similarly many modern interpreters (as Geddes, Vater, Hofmann, Merx, Bauer, a. o.; comp. also *Theodorel. Quaest.* 22 in *Levit.*; *Mishn.* *Yom.* IV. 2; VI. 1, 2, לֹאֵלֶּךְ לְאִזָּזֵל, which is, however, not meant as a translation of לֹאֵלֶּךְ). But this rendering, though tolerable in some passages (vers. 8, 10^a), is entirely inadmissible

for a sin-offering. 10. And the goat on which Azazel's lot fell, shall be made to stand alive before the Lord, to

in others, as "to send the goat to the scape-goat into the wilderness" (ver. 10^b), and "he who takes away the goat to the scape-goat" (ver. 26); for in both these cases לִשְׂכַּת cannot be translated "for a scape-goat"; the goat and Azazel are obviously distinct from each other; and as regards the etymology, granted even that ז may be taken as *he-goat* (זֶה), the *tsere* could not be changed into *shva*, the ז having properly *dageah forte* (as in זֶה , etc.). — Again, Azazel has been supposed to denote the *place* to which the goat is sent — whether "the steep or rugged mountain" (Saad., Arabs Erp. جبل , Gr. Ven. $\sigma\lambda\eta\rho\sigma\delta\acute{\alpha}\tau\tau\epsilon$; so also Siphra, Yalk. Shim. I. § 572, Raashi $\text{מָה פָּה נִשְׁלַח הַזֵּה}$, Kimchi, Ebn Ezra עַל הַר , Deyling, Lund, Clericus, a. o.), or "solitudes, lonely wastes" (plur. fract. جبال from جل remove, so Bochart, Carpzov, Jahn; or after the analogy of the 12th Arab. conjug. انفزع , so Hackmann, Gesen. Lehrgeb. p. 536). But why should a most unusual term which occurs in no other part of the Hebrew Scriptures, have been employed to express so familiar a notion? and one passage (ver. 10^b) would yield this strange tautology, "to send it into the desert into the wilderness." And lastly, לִשְׂכַּת has been explained "for complete removal;" so the Septuagint (in ver. 10^b $\delta\iota\sigma\pi\sigma\tau\epsilon\iota\lambda\alpha\iota\ \alpha\upsilon\tau\acute{o}\nu\ \epsilon\iota\varsigma\ \tau\eta\upsilon\ \alpha\pi\omicron\kappa\omicron\mu\pi\eta\nu\ \kappa\alpha\iota\ \delta\epsilon\zeta\eta\sigma\epsilon\iota\ \alpha\upsilon\tau\acute{o}\nu$, where the same idea is with remarkable redundancy expressed three times, and in ver. 26 $\tau\acute{o}\nu\ \chi\acute{\upsilon}\mu\alpha\rho\omicron\nu\ \tau\acute{o}\nu\ \delta\iota\sigma\tau\alpha\lambda\mu\acute{\epsilon}\nu\omicron\nu\ \epsilon\iota\varsigma\ \delta\epsilon\zeta\eta\sigma\epsilon\iota\nu$); while the Vulgate has merely *et emittat eum in solitudinem* (and similarly Bähr, Paulus, Tholuck, Philippon, Winer, a. o.).

But irrespective of the strange word, the sense would in all passages be forced and artificial (comp. *Gesen.* Thes. p. 1013, in hac ratione nescio quid frigidi est et jejuni); and the clear contradistinction between לִשְׂכַּת and לִשְׂכַּת (ver. 8) would evidently be lost. — Azazel, then, is an evil demon; but he cannot be Typhon (*Hengstenberg*, Mos. und Aegypt. pp. 175, 178—181; *Ewald*, Alterth. p. 370; *Fürst*, Wörtl.b.s.v.), nor "Mars-Typhon" (*Movers* l. c. 367 sqq.), nor Set, who inflicts on men the pernicious hot winds and all other calamities (*Roskoff*, Gesch. des Teufels, I. 184); for he belongs to Babylonian or Persian, and not to Egyptian mythology. Numerous other derivations have been proposed, as from זֶה or זֶה the *strong one* (comp. זֶה Isai. XLII. 25) and זֶה (by transposition instead of זֶה , זֶה) *might of God*, he being properly a fallen angel (comp. זֶה ; see *Diestel* in Zeitschr. für histor. Theolog. 1860, pp. 20, 195; *Dozy* a. o.), or *he attacks or defies God* (זֶה taken like זֶה); or from זֶה and זֶה *complete abomination* (comp. also *Ewald*, Krit. Gram. p. 243 "impurity, unholiness, or sin"). These and many other equally curious explanations prove the perplexity that has been experienced on a subject which some Jewish doctors not unnaturally declared a mystery into which men ought not to enquire. That the word לִשְׂכַּת "was expressly coined for the present occasion" (*Hengstenb.* Mos. u. Aeg. p. 167) is not probable; on the contrary, it must have been perfectly familiar to the people in the author's time. — The words $\text{וְהָיָה$ (in ver. 9) mean "and he shall appoint (not present) it for a sin-offering", since the slaughtering of the goat ensued af-

make an atonement for it, *and* to send it to Azazel into the wilderness.

11. And Aaron shall offer the bullock of the sin-offering which *is* for himself, and make an atonement for himself and for his house, and shall kill the bullock of the sin-offering which *is* for himself. 12. And he shall take a censer full of burning coals of fire from off the altar before the Lord, and both his hands full of sweet incense beaten small, and bring *it* within the vail; 13. And he shall put the incense upon the fire before the Lord, that the cloud of the incense may cover the Mercy-seat that *is* upon the testimony, lest he die. 14. And he shall take of the blood of the bullock and sprinkle

terwards (ver. 15). — The goat destined for Azazel was to be placed at the door of the Tabernacle ^{וּבְדֹרֵת} (ver. 10), which words can, according to Hebrew usage, only mean to *make atonement for it* (comp. vers. 16, 18; see Comm. on Lev. I. 476), that is, to expiate or sanctify the animal, and thus render it fit for the high religious purpose it was intended to serve. All other explanations are contrary to grammar and the context—f. i. “to make expiation through it”, or “with it”, or “upon it”, or “to appease God”: the preposition ^{בְּ} in connection with ^{כִּי} refers always to the thing or person expiated, and never to God; the suffix both in ^{כִּי} and ^{כִּי} applies to the same object, the goat; and the expiation of sins was mainly effected through the blood of the *slaughtered* goat. The Vulgate renders freely, *ut fundat preces super eo*. It appears that the “standing before God” alone expiated the animal, and that for this purpose no blood was applied, as has been supposed (so Bähr l. c. 684).

11—19. After these preliminaries the proper acts of expiation commenced. To render the sacrifice of his bullock more solemn, the High-priest put, according to later

usage, *both* his hands upon the animal, and made this confession:

“O Lord, I have failed, I have trespassed, I have sinned before Thee, I and my house. O Lord, grant atonement for the failings and trespasses and sins with which I have failed and trespassed and sinned before Thee, I and my house, as it is written in the Law of Thy servant Moses, For on this day shall atonement be made for you” etc. (ver. 30). To which the congregation replied: “Blessed be the name of His glorious kingdom for ever and ever.” The High-priest repeated his confession once more, including in it “the children of Aaron”, God’s “holypeople” (*Mishn. Yom. III. 8; IV. 2*); and then he killed the bullock, “received the blood in the sprinkling bowl, which he handed over to a priest, to stir the blood, lest it coagulated while he performed the fumigation” (*Mishn. Yom. IV. 3*). He next took burning coals from the brazen Altar in the Court, and put them into a censer; and after having provided himself with two handfuls of the finest incense, he entered through the vail into the Holy of Holies, and advanced to the Ark, or, in the time of the second Temple, to the

it with his finger upon the front of the Mercy-seat eastward, and before the Mercy-seat shall he sprinkle of the blood with his finger seven times: — 15. Then he shall kill the goat of the sin-offering that *is* for the people, and bring its blood within the vail, and do with that blood as he did with the blood of the bullock, and sprinkle it upon the Mercy-seat and before the Mercy-seat. — 16. And he shall make an atonement for the Sanctuary on account of the uncleanness of the children of Israel, and on account of their transgressions, indeed on account of all their sins: and so shall he do for the Tent of Meeting,

stone (אֲבִנִּי) which formed its substitute. Between the two staves of the Ark, or on the stone, he deposited the censer, and cast the incense upon the coals, so that the whole place was filled with a cloud of smoke, and that especially the Mercy-seat and the Cherubim were enveloped in the cloud: it was death to omit this ceremony. Then he left the Holy of Holies—according to the Mishnah walking backward, lest he turned his back upon the Ark—and, arriving in the Holy, he pronounced the following short prayer: “May it please Thee, O Lord, my God, that this year, if it was intended to be one of drought, be one of rain; let him who rules over the house of Judah not die; may Thy people not be in want, so that one Israelite may not be forced to beg his sustenance from another or from strangers; and do not accept the prayer of travellers” (who deprecate rain; *Mishn. Yom. V. 1, 2*). Then returning to the Court, he took the blood from the person who had meanwhile stirred it, entered with it into the Holy of Holies, and stopped at the same place as before. There, according to tradition, he sprinkled with the blood once upward, and seven times downwards, so that the eight aspersions formed on the ground “a con-

tinuous line (קָוָה)”; while performing these acts, he counted the numbers in a prescribed manner; and then he went out of the Holy of Holies, after having put the vessel on the golden stand placed there for the purpose (*Mishn. Yom. V. 3*). The Biblical text prescribes, besides a sevenfold aspersion on the ground, sprinkling on the eastern side of the Mercy-seat itself, which did not exist in the second Temple (vers. 13—15; see Summary).

Having thus expiated himself and the priesthood, he proceeded to expiate the whole community. Returning to the Court, he killed the goat which had by lot been destined for God, received its blood into a bowl, went again into the Holy of Holies, and standing on the same place as before, he sprinkled and counted as at first, and put down the vessel on another stand (*Mishn. Yom. V. 4*).

After the atonement of the High-priest and of the people, the holy edifice itself remained to be expiated (vers. 16—19). For both the structure in all its parts, and its sacred utensils and implements, were deemed to have been defiled by the transgressions of the Israelites throughout the year. But no separate animal was killed for the purpose, and the expiation was accomplished

that remains among them in the midst of their uncleanness. 17. And there shall be no man in the Tent of Meeting, when he goes in to make an atonement in the Sanctuary, until he comes out; and *thus* he shall make an atonement for himself, and for his household, and for all the congregation of Israel. 18. And he shall go out to the altar that *is* before the Lord, and make an atonement for it; and he shall take of the blood of the bullock and of the blood of the goat, and put *it* upon the horns of the altar round about. 19. And he shall sprinkle of the blood upon it with his finger seven times, and cleanse

through the blood of the victims slaughtered for those who had caused the defilement — through the blood of the High-priest's bullock and the people's goat; the mingled blood of both was put partly round the horns of the brazen Altar in the Court, and partly, by a sevenfold aspersion, on its surface itself: this Altar, at which the daily holocausts, the distinctive feature of the national worship, were offered, and upon which a perpetual fire was burning, fitly represented the entire Tabernacle or Temple and all its service (see Phil. Rem.).

The Mishnah, holding that the golden Altar in the Holy is meant, thus describes the rites: In the Holy of Holies, the High-priest sprinkled the blood of the bullock upon the vail opposite the Ark once upwards and seven times downwards, proceeding and counting as before. Then he sprinkled with the blood of the goat also. He next thoroughly mixed the blood of the bullock with that of the goat; went out into the Holy, and expiated the golden Altar, beginning at the north-eastern corner, then advancing to the north-western, then to the south-western, and finally round to the south-eastern corner. He then sprinkled seven times upon the middle of the Altar;

and the remainder of the blood, he poured out at the western and southern sides of the Altar, whence it flowed, through a canal, into the brook Kidron (*Mishn. Yom. V. 4—6*).

When all these rites had been performed, God, the Holy, could again dwell and manifest Himself in the purified Tabernacle.

PHILOLOGICAL REMARKS. — The High-priest took the "burning" coals from the brazen, not from the golden Altar (ver. 12); on the latter there were no such coals; the words *לְבַנֹּת* must, therefore, be understood in a general sense (as in vers. 10, 18; I. 5). — The context favours the opinion of the Pharisees, who contended that the High-priest was to put the incense on the live coals in the Holy of Holies (*לְבַנֹּת*, ver. 13), and not, as the Sadducees believed, in the Court; the former view prevailed, and hence the elders of the priesthood made the High-priest swear on the eve of the Day of Atonement, that he would, while alone in the Sanctuary, make no change whatever in the traditional customs (*Mishn. Yom. I. 5*; see on vers. 1, 2). — The mode of sprinkling (vers. 14, 15), which differed from that observed with ordinary sin-offerings (Lev. IV. 7, 17), is sufficiently intelligible. The Sept. takes

it, and hallow it from the uncleanness of the children of Israel.

וַיִּסְפָּק וַיִּסְפָּק as identical, and hence arbitrarily omits *וַיִּסְפָּק* in *וַיִּסְפָּק* (*ἐπὶ τὸ ἱερόν... κατὰ πρόσωπον τοῦ ἱερέως*); the Vulg. even suppresses the words *וַיִּסְפָּק* in *וַיִּסְפָּק*, and in ver. 15 merely renders, *ut aspergat e regione oraculi*; and some later translators have imitated these inaccuracies (Luther both in ver. 14 and 15, a. o.). The text is explicit and clear in ver. 16 — the blood was to be sprinkled “upon (*עַל*) the Mercy-seat, and before (*לְפָנֶיךָ*) the Mercy-seat.” Josephus (*Ant.* III. x. 8) declares, that the High-priest “sprinkled upon the ceiling (*τὸν ὀροφον*) with his finger seven times, also upon the pavement (*τὸ ἔδαφος*), and again as often upon the most holy shrine” (*εἰς τὸν ναόν*): but the sprinkling on the ceiling is at variance with the Scriptural ordinance. — The three main parts of the Tabernacle which were to be expiated, are — The Holy of Holies (*קֹדֶשׁ הַקֳּדָשִׁים* ver. 33, or simply *קֹדֶשׁ* ver. 16, 20); the Holy, also called “the Tent of Meeting” *par excellence* (*מִקְדָּשׁ*), since it is the largest portion of the structure (vers. 16, 20, 33); and the Court, described by its chief implement, the Altar (vers. 18, 20, 33). The peculiar use of these terms is clear from ver. 17 — “And there shall be no man in the Holy (*קֹדֶשׁ*) when the High-priest goes to make an atonement in the Holy of Holies” (*קֹדֶשׁ הַקֳּדָשִׁים*): during that time not even priests were to enter the Holy, to which they were usually admitted. It seems, therefore, clear that the 17th verse hardly stands in its right place; it interrupts the account of the expiation of the Sanctuary, which commences in the 16th and is continued in the 18th verse;

and it alludes only to the atonement of the priests and the people; it would, therefore, more logically follow after ver. 15, and would then well conclude the expiatory rites as far as *persons* are concerned. — *וַיִּסְפָּק* in *וַיִּסְפָּק* (ver. 16) summarises the details — “*even all their sins*” (so also ver. 21; see notes on XI. 26; comp. *August.* Quaest. in Levit. LIII). — The holy edifice “dwells” (*יָשָׁב*) among the Hebrews (comp. Josh. XXII. 19; Ps. LXXXV. 10). — The Altar on which the acts of expiation are performed (vers. 18, 19), can only be that of the Court, not of the Holy; the verb *וַיִּסְפָּק* “and he shall go out” is more suitable for the one than for the other; wherever the latter is meant, it is clearly described (comp. IV. 7, 18); and if *one* rite of atonement was to purify *all* the parts of the Tabernacle, the Altar which typified the active life and the daily struggles of the people was certainly more appropriate than that which symbolised prayer and devotion. — *וַיִּסְפָּק* is in ver. 18 to be taken as in vers. 10 and 12, where surely nothing else than the Court can be meant. Supposing the *golden* Altar were intended, the repeated enumeration of “Holy of Holies, Holy, and Altar” (vers. 20, 33), would be strangely illogical, as it would amount to “Holy of Holies, Holy, and Holy;” whereas the *brazen* Altar most fitly stands for the whole Court. Yet both Jewish tradition and many modern interpreters consider the Altar in this passage (vers. 18, 19) to be that of the Holy. Compiled at a time when a Temple no longer existed, the Mishnah frequently deviates from the Biblical rituals; but Josephus, who had witnessed the

20. And when he has finished making an atonement for the Sanctuary, and the Tent of Meeting, and the altar, the live goat is brought *to him*. 21. And Aaron shall lay both his hands upon the head of the live goat,

service of the Temple, clearly names the "larger Altar (τὸν μέγαν) in the open Court" (αἰθρίον; Ant. III. x. 3). — Some manuscripts have in vers. 16 and 19 the singular κῆρυν instead of the more appropriate plural κῆρυα (*De Rossi*, Var. Lect. I. 98).

20—22. While the preceding ceremonies were performed, the goat appointed for Azazel had been standing in the Court "before the Lord"; it was now brought to Aaron, who imposed upon its head not, as was the case with victims intended for sacrifice, *one* hand, but *both* his hands, in order to convey in the strongest possible manner, that the animal most particularly concerned both himself and the community he represented. He then made a full confession of the people's sins — according to tradition, in the words above cited (p. 331.); "and the priests and the people who were in the Court, when they heard the holy name of God (יהוה) coming out of the High-priest's mouth, bent their knees, and worshipped, and fell upon their faces, and said, Blessed be the name of His glorious kingdom for ever and ever." He put the sins of the people upon the head of the goat, which a trustworthy person then led away into the wilderness, to carry back to Azazel the offences into which he had enticed the Israelites, and to take them to a lonely and pathless region, just as pardoned sins are elsewhere said "to be thrown into the depths of the sea" (Mic. VII. 19). It was customary in later times, to employ for that purpose no Hebrew but a heathen, probably because the distance was considerably more than

the legal "Sabbath-way," and because the Hebrew might besides be led to a desecration of the holy day: the author of our chapter evidently had no such scruples; for he states that the messenger, after having performed his task, "returned into the camp" (ver. 26). Again, he simply orders that the goat should be conducted into "the wilderness" or to "a lonely land", where it was to be left to its fate, whether it perished or not. But the later Jews were anxious that the animal should unflinchingly suffer death, which was to them a pledge of the removal of their sins. Therefore, from the Temple up to within two miles of the appointed place in the wilderness — which was the steep mountain Zuk (זוק) — booths, ten in number, were erected at intervals of one mile; in each of them persons were in readiness to accompany the messenger to the next booth, and in each refreshments were offered to him. When the man had arrived within a mile of the mountain Zuk, he went on alone, but the occupants of the last booth watched his proceedings, and saw how he divided the crimson thread, half of which he fastened to the rock, while he tied the other half between the two horns of the goat; how he then thrust the animal from the height; and — observes the Mishnah — "in thus rolling down, the goat was dashed to pieces before it had reached the middle of the mountain." The man then returned, and remained in the last booth till dusk (*Mishn. Yom. VI. 2—6*). — On elevated places persons were stationed to observe the movements of the goat, and they signalled

and confess over it all the iniquities of the children of Israel, and all their transgressions, indeed all their sins, and put them upon the head of the goat, and shall send it away by the hand of an appointed man in to the wilderness;

with handkerchiefs to the priests in the Court, when the animal had arrived in the wilderness; though, according to Rabbi Ishmael, signals were superfluous, since the fact was known when the crimson-thread tied to the Temple-gate was seen to turn white (comp. Isai. I. 18). Then the High-priest read from the Law the sections relating to the Day of Atonement (viz. our chapter, Lev. XXIII. 26—32, and Num. XXIX. 7—11), and concluded with eight benedictions on the Law and the public service, on confession and forgiveness of sins, on Jerusalem and the Temple, on Israel and the priesthood (*Mishn. Yom. VI. 8; VII. 1*).

PHILOLOGICAL REMARKS. — It needs hardly be repeated that the goat of Azazel was no victim meant for sacrifice; it did not cause pardon of sins, but merely carried away sins already pardoned, to symbolise that they were removed from God's holy presence, and that communion between Him and His people was restored. The goat was still less an offering intended to appease the anger of Azazel; for this demon was indeed believed to have the power of corrupting men, but not of punishing them (comp. XVII. 7). Therefore, the imposition of hands expresses neither substitution nor chastisement, "as if the goat suffered death for the guilty Israelites, or was itself considered as having committed the sins" (*Michael. Typ. Gottesgel. p. 72, a. o.; comp. Rosenm. Morgenl. II. 197—200*): according to our text, it was not essential that the animal should perish, only that it should be removed out of sight; and the later

Rabbinical practice affords no proof to the contrary. Very curious interpretations have been ventured; for instance, the sending away of the goat denotes an "abnunciation" or "renunciation" of the devil, both distinct from each other, the one being total rejection of the evil demon, the other merely a message to him, "to let him know what has been done, and to show him that he has lost his power over Israel, owing to God's forgiveness and mercy" (*Kurtz, Bib. und Astron., ed. 1865 p. 187*); but as the ceremonial was regularly repeated every year, a complete and absolute deliverance from the tempter was evidently deemed hopeless. Untenable is the analogy between Azazel's goat and the bird which, in the purificatory rites of the leper and the leprous house, was sent alive into the open field (Lev. XIV. 7, 53): the released bird symbolised that the convalescent had recovered complete freedom to move about at pleasure, and even to join the holy community, and to enter the Sanctuary; whereas the goat was led away, could go nowhere else but into the wilderness, and was removed from the holy community and the Sanctuary (see *supra* p. 241). Equally precarious is the analogy with the Hindoo horse-sacrifice or Aswamedha, which was in reality a sacrifice; for although the horse was sent away to graze freely for twelve months, it was during this time anxiously watched, and then actually killed as an offering, not to an evil demon, but to the highest gods, as Brahmah, Vishnu, Shiva, and the ten tutelary deities of the earth. Nor is any other alleged

22. And the goat shall bear upon it all their iniquities to a lonely land; and he shall let go the goat in the wilderness.

23. And Aaron shall come into the Tent of Meeting, and shall put off the linen garments, which he put on when he went into the Sanctuary, and shall leave them there; 24. And he shall bathe his body in water in the holy place, and put on his garments, and come

parallel more plausible (comp. *Spencer*, l. c. p. 1052). — The Vulg., in rendering (ver. 21) quae *imprecans* capiti ejus, introduces a notion foreign to the context: the animal was not execrated, as among the Egyptians in certain cases (*Herod.* II. 39, καὶ φάλη δὲ καὶ ἐν πολλὰ καταρτίζαμενοι); it was merely made the instrument of carrying back the people's transgressions to him who had caused them. — It cannot be denied that the usual acceptation of the term עֵד עַד (ver. 21), which occurs nowhere else, as "a man ready or at hand at the time" (comp. ὁπαῖος tempestivus), is not very satisfactory whether the form or the sense be considered; derived from עַד, the word עֵד would signify one belonging to a place or a family; and it seems rather superfluous to enjoin that the goat shall be led away by some one who is ready to do it (Sept. ἐνθροῦνος ἱτοιμος, Vulg. homo paratus, Luth. ein Mann der vorhanden ist, etc.); some therefore have rendered "a fit man", for which meaning, however, there is no authority; and others have taken עֵד as a patronymic, understanding a man from the town עַד, the inhabitants of which are said to have been familiar with the topography of the desert, near which that town is supposed to have been situated (comp. Josh. XIX. 13 עַד עַד; so Loeb Frankfort, comp. *Geiger's Jüd. Zeitschr.* IV. 49): but a town Eth would have been known at the time of the Mishnah, at least by the tradition kept up during

the comparatively few generations that separated the compilation of the Mishnah from the date of our chapter. It is a questionable principle to seek a peculiar significance in every word of the Law; we must be content with the meaning "a ready or appointed man", which, though languid, is appropriate. — A codex of de Rossi has עַד after עֵד (ver. 21), but that accusative may well be omitted (Gramm. § 78. 7). — עַד עַד is literally "a land cut off" or separated from other lands (comp. Isai. LIII. 8; Ps. LXXXVIII. 6; 2 Chr. XXVI. 21; see also Hab. III. 17), that is, a lonely region from which there is no hope of return (Vulg. terra solitaria), untrodden by human feet (Sept. γῆ ἄβατος), and peopled by demons and malignant spirits (*Targ. Jon.* has עַד עַד a desolate place; *Onk.* עַד עַד uninhabitable country; Syr. עַד עַד uncultivated land: but these renderings are less accurate; comp. *Deyling*, *Observ.* I. 88).

23—28. Then the High-priest, having bathed in one of the chambers of the Court, exchanged the linen garments, which he had worn during the preceding ceremonies, for his ordinary or "golden" vestments, and presented as holocausts a ram for himself and one for the people (vers. 3, 5); and these sacrifices, together with the burning of the fat of his own and the people's sin-offering — of the bullock and the goat —, completed the rites of expiation, and secured the atonement of the

forth, and offer his burnt-offering and the burnt-offering of the people, and make an atonement for himself and for the people. 25. And the fat of the sin-offering he shall burn upon the altar. 26. And he that takes away the goat to Azazel shall wash his clothes, and bathe his body in water, and then he may come into the camp. 27. And the bullock for the sin-offering and the goat for the sin-offering, whose blood was brought in to make atone-

penitent people. Only a few incidental acts remained now to be performed. The man who had led away the goat, had to wash his clothes and to bathe before he was allowed to return to the camp; for both his garments and his person were defiled by contact with the sin-laden animal, whether the defilement began from the moment he had passed beyond the walls of the holy town, or not before he had hurled the goat down the precipice (*Mishn. Yom. VI. 6*). All that was left of the two sin-offerings, the blood of which had been taken into the Holy and the Holy of Holies, was, in accordance with a general rule, burnt without the camp (comp. VI. 23 and notes in loc.); and the man who burnt it, was also unclean, and had to bathe and wash his garments. But the later practice of the Temple was by no means so simple. When all the sacrifices were finished, the High-priest bathed again, put on the linen garments a second time, washed his hands and his feet, and went into the Holy to bring back the bowl and the censer. After another ablution of his hands and feet, he bathed again. Then he put on his golden vestments, washed his hands and feet, and entered the Holy to do the service at the Altar of Incense and at the Candlestick; after having once more washed his hands and feet, he put on his own private garments, and was accompanied home by his friends, "to

whom he gave a feast, if he had left the Sanctuary unharmed" (*Mishn. Yom. VII. 4*); for the terrible fate of Aaron's two eldest sons had proved how inexorably God visits any deviation from the holy rituals. The High-priest had, in fact, during the day to bathe five times, and to wash his hands and feet ten times, and for the latter ablutions he did not use the ordinary basin (כַּזָּיִת), but a golden bowl (cyathus כַּזָּיִת; *Mishn. Yom. III. 3*).

The sacrifices described in this chapter are all expiatory, and the rites connected with them special and exceptional. But besides them were to be offered, first the usual or daily holocausts — a lamb in the morning and one towards the evening; and then extraordinary or additional sacrifices (שְׁלָמִים) in honour of the sacred day — a bullock, a ram, and seven lambs as holocausts, and a kid of the goats as a sin-offering, of course together with their cereal oblations; so that seventeen animals, including all the species of sacrificial quadrupeds, were required on the Day of Atonement, sixteen for sacrifice, and one for Azazel (comp. Num. XXIX. 8—11). At what times of the day these victims were to be presented, was a matter of dispute at so early a date as that of the Mishnah; but the doctors decided in favour of Rabbi Akiva, who held, that the seven lambs were to be killed together with the morning sacrifice, and the additional bullock and ram together with

ment in the Sanctuary, shall be carried forth without the camp; and they shall burn with fire their skins, and their flesh, and their dung. 28. And he that burns them shall wash his clothes, and bathe his body in water, and then he may come into the camp.

29. And *this* shall be a statute for ever to you: in the seventh month, on the tenth *day* of the month, you shall afflict yourselves, and do no work at all,

the evening sacrifice (*Mishn. Yom. VII. 3*).

The first Temple had no vail, and the second had no Ark (p. 267); yet the author, desirous of investing the ceremonial with the utmost possible solemnity, combined the features of both structures, reasonably expecting that his contemporaries would find some substitute for the missing Ark.

PHILOLOGICAL REMARKS. — The received reading *וַיִּזְבֹּחַ* (ver. 24) is preferable to that of some manuscr. *וַיִּזְבֹּחַ* (*De Rossi* l. c. p. 98); for the one holocaust expiated the High-priest and his house, the other the people. — The sing. *וַיִּזְבֹּחַ* (ver. 25) must imply, in a collective sense, both the High-priest's and the people's sin-offering, since with respect to neither of them is the burning of the fat mentioned anywhere else. — On the construction *וַיִּזְבֹּחַ* (ver. 27), that is, the passive followed by the accusative, see Gramm. § 76. 3 (comp. VI. 23, regularly, *וַיִּזְבֹּחַ*). — Josephus also (*Ant. III. x. 3*) counts seventeen animals, although his enumeration is peculiar and somewhat confused; but Jewish tradition limits the number to sixteen, for it unwarrantably supposes that the ram mentioned in our chapter as a holocaust for the people (vers. 5, 24) is identical with the ram named among the "additional sacrifices" (in Num. XXIX. 8): the ram of the people is as essential for the peculiar and preparatory rites of the

day as that of the High-priest (ver. 24). If the Day of Atonement fell on a Sabbath, two additional lambs were of course presented (Num. XXVIII. 9).

29—34. The legislator finally desired to mark both the holiness of the day and its supreme religious importance. The former he did in a twofold manner — by making it a day of complete and solemn rest (*יום טוב*) for native and stranger, and by fixing it for the *tenth* of the *seventh* month, both which numbers familiarly recalled to the Hebrew mind the spiritual relation between man and God (p. 260). And he impressed the high importance of the day by ordaining, also for native and stranger, a rigorous fast "from evening to evening"; and not long afterwards, when the system of Hebrew festivals was fully worked out, the non-observance of this fast, the only one prescribed in the Pentateuch, and the profanation of the day by the performance of any labour whatsoever, were menaced with excision from the Hebrew community (XXIII. 27—32). Fasting, at all times deemed efficacious for appeasing the Deity, and often imposed even upon animals (Jon. III. 7, 8; comp. Judith IV. 10), became after the exile the most common form of devotion and contrition; it was held to be more powerful and more acceptable to God than vow and sacrifice; and it soon occupied a conspicuous place in the religious life of individuals and of the

whether it be one of your own country, or a stranger that sojourns among you. 30. For on that day shall atonement be made for you, to cleanse you; you shall be clean from all your sins before the Lord. 31. It *shall be* a great day of rest to you, and you shall afflict yourselves, *by* a statute for ever. 32. And the priest who shall be anointed, and who shall be consecrated to minister in the priest's office in his father's stead, shall make the atonement, and shall put on the

community (comp. p. 279). The Mishnah enjoins abstinence from "eating, drinking, washing, anointing, the wearing of shoes or sandals, and sexual intercourse"; and declares that whosoever eats as much as a date with a kernel, or drinks as much as fills one cheek (about one fourth of a log), brings upon himself excision if he does it purposely, and must present a sin-offering if he transgresses unintentionally; one Rabbi (R. Eliezer), who endeavoured to obtain permission for kings and for brides up to twenty days after marriage to wash their faces, and for women after child-birth to put on sandals, was overruled by the other teachers (*Mishn. Yom. VIII. 1*); yet exceptions were made in favour of pregnant women, sick persons, and invalids; and in general the principle was adopted, that "Everything which might possibly endanger life, annuls the Sabbath" (שבת נאכלת חיי נפש, *Mishn. Yom. VIII. 1—6*). It is needless to add, how scrupulously the Talmudists and later Rabbins worked out and enforced these precepts: they took care that the Jews should indeed "afflict themselves" on the day set aside for their penitence and moral regeneration. They certainly did not mistake the high importance of the festival. They called it "the Day" *per excellence* (יום); they declared, that "without the Day of Atonement the world could not possibly exist, as it expiates this life and the next; and that

it will never cease, even if all other festivals should pass away"; that on that Day, the Hebrews resemble the angels, being without human wants, without sins, and linked together by love and peace; and that it is the only day in the year, on which the accuser Satan or Sammael is silenced before the throne of God, and even becomes the defender of Israel (comp. *Pirk. R. Eliez. c. 46*; *Midr. Rabb. Lev. XXI. 1*).

No other ancient nation had an institution approaching the Day of Atonement in religious depth; the expiatory sacrifices and festivals so frequent among the Greeks, and the supplications of the Romans in times of war, pestilence, and other public calamities, aimed at appeasing the wrath of the deities, rather than restoring purity of mind, and securing forgiveness of sins; they were therefore not celebrated at regular intervals, but only on exceptional occasions. Yet if we survey the precepts and the spirit of our chapter, we find that no more than a passive part was assigned to the people on this festival; they were simply enjoined to *keep rest* and to *fast*; no prayer, no confession of sins, was prescribed for them; they had no share in any of the rites; the High-priest and the priests acted for them throughout: the hierarchy had at last fully prevailed, and achieved its long coveted triumphs. And what had it to offer for cleansing the hearts

linen garments, the holy garments; 33. And he shall make an atonement for the holy Sanctuary, and he shall make an atonement for the Tent of Meeting, and for the altar, and he shall make an atonement for the priests and for all the people of the congregation. 34. And this shall be an everlasting statute to you, to make an atonement for the children of Israel for all their sins once a year. — And he did as the Lord commanded Moses.

and restoring peace of mind, for chasing away worldliness and securing nobleness of thought and feeling? Sprinkling of blood, burning of incense, and a sin-laden goat sent to the prince of fabled demons. Not even reading from the Law and spiritual instruction by public teachers were enforced (comp. Neh. IX. 1—3, 5 *sqq.*). But by a natural process of moral refinement, in later times, when the destruction of the Temple rendered the prescribed ceremonial impossible, the Day of Atonement was conceived in a different spirit, and the active co-operation of the penitent sinners themselves was insisted upon; the Mishnah already (Taan. II. 1) points out that, with reference to the people of Nineveh, the prophet Jonah (III. 10) did not say, "And God saw their sackcloth and their fasting", but "He saw their deeds that they returned from their evil ways;" and that the prophet Joel (II. 13) exclaimed, "Rend your hearts and not your garments," to which passages many prophetic utterances not less excellent might be easily added (comp. esp. Isai. LVIII. 3—7); and for further proofs it is only necessary to refer to the admirable section on Repentance in the great work *Yad Chazakah* of Maimonides. Yet an excessive formalism, encumbering and almost extinguishing the beautiful idea of the Day, remained, and must remain as long as the ordinances of

an early Eastern civilisation are accepted as binding and unalterable.

PHILOLOGICAL REMARKS. — Ebn Ezra (on ver. 29) contends that the stranger was indeed bound to abstain from work, but not to fast; however, the most developed levitism permitted, in the chief obligations of religion, no difference between all the members of the community. Philo (De Septen. c. 7) considers the Day of Atonement under five aspects — (1.) as an exercise of temperance through fasting; (2.) as a proof of self-control, the Jews abstaining from food at the very season when they had just gathered in all their stores of fruit; (3.) as an act of gratitude, the people remembering in their abundance the privations of their ancestors; (4.) as a means of preserving the even flow of reason, which might be checked or disturbed by taking food constantly; and (5.) as a time of praying for forgiveness of sins, not on account of our own merits, but through the mercy of God who prefers pardon to punishment. The last point only is to the purpose. With regard to the typical acceptance of the Day of Atonement, which has been busily developed from the time of the Epistle to the Hebrews down to our day, we refer to our previous remarks on the subject (Comm. on Lev. I. pp. 158, 161; comp. *Spencer* l. c. 1059, 1065; *Deyling*, *Observ.* I. 96—98; *Michael*. Typ. Gottesgel. pp. 71—74, 165—169).

CHAPTER XVII.

SUMMARY. — Whenever the Hebrews desire to kill for food quadrupeds fit to be sacrificed, viz. oxen, lambs, and goats, they are invariably to offer them upon the common Altar with the usual sprinkling of blood and burning of fat, lest they continue to worship the demons of fields and deserts; disobedience to this law is declared equivalent to bloodshed, and menaced with excision (vers. 1—7). Both Hebrews and strangers are, under the same penalty, to present offerings at no other place but the national Sanctuary (vers. 8, 9), and to abstain from eating any blood whatever, and therefore also any חֵלֶב and מִדָּמָא; since the blood, which is the life of the animal, is reserved for the Altar, to effect the expiation of sins; the blood of quadrupeds and birds killed in hunting, is to be covered with earth; and bathing and washing of garments are earnestly enjoined as lustrations after tasting חֵלֶב or מִדָּמָא (vers. 10—16).

1. And the Lord spoke to Moses, saying, 2. Speak to Aaron, and to his sons, and to all the children of Is-

1—3. It would be difficult to point out an organic connection between this chapter and the preceding sections. Beginning with a double code of sacrificial laws, the Book of Leviticus proceeds to detail the ordinances of purity, and then returns to the sacrificial laws, to which it joins other precepts on diet. However, the additions are not repetitions, but supplements; for they either enforce new commands, or they support old precepts by new reasons; in both respects they exhibit a decided advance in levitical rigour; and they seem indeed to belong to the very latest portions of the Pentateuch.

While the older legislation, as reflected in Deuteronomy (XII. 13—15, 21), merely demanded the slaughter of *sacrifices* at the common Sanctuary, our author boldly insists, besides, that *all* sacrificial animals, even those intended for *food*, must be treated as offerings, and be killed at the national Temple and under the supervision of the priests. Nor

does he proclaim this law waveringly or timidly; for he declares its disregard as not less criminal than wanton bloodshed and the murder of a man; and he announces to the trespasser, in the name of God, the penalty of excision, that is, absolute exclusion from the holy community. And why this almost fierce severity? He can have had no mean motive or object — which was in fact no other than to prevent the Israelites “from offering any more their sacrifices to demons (מַלְאָכִים), after whom they were going astray” (ver. 7). It seems indeed surprising that, even in his time, it should still have been necessary to adopt such coercive measures for weaning the people from the worst forms of idolatry; but we have proved in another place that the Hebrews clung to their superstitions in every period of their history, and long after the Babylonian exile; and in explaining the rites of the Day of Atonement, we have shown that, even after the age of Nehemiah, they attributed the pow-

rael, and say to them: This *is* the thing which the Lord has commanded, saying, 3. Any man of the house of Israel, who kills an ox, or lamb, or goat, in the camp, or who kills *it* out of the camp, 4. And does not bring it to the door of the Tent of Meeting, to offer an offer-

ers of temptation and seduction to the evil demon Azazel, to whom they annually sent a goat laden with the sins which they deemed his work (pp. 292—294; I. pp. 377—379).

Thus we are brought far into the Persian period, when the above command, burdensome under any circumstances, was at least not quite impracticable; for at that time the Jews lived together in a comparatively small circle round Jerusalem, from whence access to the Temple was easy. But not even the boldest or most ambitious priest could have ventured to frame such a law for the time when the whole land was inhabited from "Dan to Beersheba;" however, the writer, though as usual faithfully preserving the period and scenery of the Hebrew wanderings in introducing Aaron and his sons, the camp and the Tabernacle, really intended to legislate for Hebrew settlements in Canaan; this is evident from the words with which he concludes this ordinance: "This shall be a statute for ever to them throughout their generations" (ver. 7); and in order to mark its importance, he addresses it, under God's supreme authority, to every member of the community, both priests and Israelites, because all were directly concerned in its execution (vers. 1, 2). Yet Jewish tradition, shrinking from the exorbitant demands it imposes, declared, against the obvious tenour of the passage, that it is only meant to apply to real sacrifices (שערי זבח), and forbids their *slaughtering*, whereas the following law (vers. 8, 9) and that of Deuteronomy

interdict their *offering*, beyond the precincts of the Temple; and some Rabbins were of opinion that, even while the Temple existed, it was only operative in places *near* Jerusalem (and tradition taught which places were called near), whereas in more distant localities the clean animals were freely killed and eaten, a view which Karaite writers strongly opposed (comp. *Mishn. Zevach. XIII. 1; Talm. Chull. 17^a; Siphra* in loc., fol. 83^b ed. Schlossb.; *Rashi* and *Ebn Ezra* in loc.; *Maimon. Maas. Hakkorb. XVIII. XIX.*, and in *Seph. Hammits. פירוש חמץ ופירוש חמץ*, the 90th negative precept; but on the other hand, *Aaron II* in *מדרש אהרן* on our passage).

It may be doubtful whether the priests received the portions which, in all proper thank-offerings, were allotted to them by the Law, since our command, while mentioning the sprinkling of the blood and the burning of the fat, is silent about the disposal of the breast and right shoulder; but the priests could not be left unrewarded, and at the meals that followed even thank-offerings in the wider sense, Levites were always among the invited guests. Certain it is that we have here no parallel to primitive usages, such as prevailed, for instance, in Homeric times: then the slaughtering of animals was indeed connected with a sacrifice, but it was presided over by the chief of the family himself, and performed in his own house; and the repast was strictly a domestic feast hallowed by pious gratitude towards the gods; whereas

ing to the Lord before the Tent of the Lord; blood shall be imputed to that man; he has shed blood; and that man shall be cut off from among his people: 5. In order that the children of Israel may bring their sacrifices, which they offer in the open field, even that they

the levitical regulation tended to deprive the Israelites of all personal authority in matters of religion, and to subject them entirely to priestly control: that these pretensions met with no large share of success, may be gathered from the constant struggles carried on between the hierarchical and the popular party down to the Roman time. Not more decisive are other apparent analogies: thus, whenever the Persians sacrificed, they took away the flesh of the victim, and ate it themselves (*Herod.* I. 132; *Strab.* XV. 732); but it does not follow, that whenever they desired to eat flesh, they sacrificed the animal to the gods. The Mohammedans regard no meat as lawful, unless the slaughtering of the beast is accompanied by a Divine invocation (see *supra* p. 22); but such expressions of submission and piety are widely different from a sanctification of the animal on the national Altar by means of the priests. Nearest akin to our law are the ordinances of the Hindoos, who are permitted to partake of meat mainly in connection with sacrifices and other acts of devotion (*Manu* V. 31 *seqq.*); but those ordinances are too wavering and uncertain to be reduced to well-defined principles (see *supra* pp. 41—43).

The second law (vers. 8, 9) is chiefly remarkable for its peremptoriness and its comprehensiveness; for it enjoins the offering of all sacrifices at the national Sanctuary under penalty of excision, and it expressly includes the strangers. The former point proves that the priesthood now felt themselves strong to op-

pose menace to popular disobedience; and the latter, that the organisation of the community had begun to be accomplished from a theocratic point of view; and both the one and the other are unerring criteria for the date of this section. On more than one occasion we have shown, that during long periods the chief Sanctuary was utterly disregarded as a religious centre, and that at all times heads of families and leaders, kings and prophets, offered sacrifices wherever they deemed fit or convenient; and our law appears to convey as much a remonstrance as an injunction (see *Comm.* on *Gen.* pp. 737—740; on *Lev.* I. pp. 27 *seqq.*; and *espec.* pp. 19—24).

It is not easy to determine the false deities after whom the Hebrews were going astray, and who in our text are described by a term meaning "he-goats" (עֲזִיזִים). Now it is well-known, that goats were, on account of their proverbial lasciviousness, regarded by the ancients as the types of prolific generation, and were honoured as such by many and peculiar rites of religion. The Egyptians inhabiting the Mendesian district, or worshipping in temples dedicated to Mendes, abstained from offering goats, and sacrificed sheep instead; and though it may be doubtful whether Mendes, whom Greek writers identify with Pan, or any other Egyptian deity, was, like Pan, represented with the face and legs of a goat, it is certain that in some provinces this animal, especially the male, was held sacred to Mendes, whom the Egyptians counted

may bring them to the Lord, to the door of the Tent of Meeting, to the priest, and offer them *for* thank-offerings to the Lord. 6. And the priest shall sprinkle the blood upon the altar of the Lord *at* the door of the Tent of Meeting, and burn the fat for a sweet odour

among the eight great or most ancient gods, preceding the twelve deities of the second order, and whom, almost like Khem, they considered as universal nature, as the god of vegetable as well as animal life, and in fact as presiding over everything generated. It is even related that in Mendes goats were allowed to have intercourse with women, as elsewhere goat-shaped demons were fabled to have and to satisfy similar propensities. Hence the Egyptians were said to venerate the goat for the same reason which prompted the Greeks to pay homage to Priapus; namely because they attributed to that animal the greatest desire and power of generation, which they supposed to manifest itself as early as seven days after its birth; and they chose the he-goat as the hieroglyphic sign for fruitfulness. These would indeed be intelligible reasons why the levitical legislator should express detestation against the worship of "he-goats", or against demons resembling them in appearance and attributes, because such worship clashes with the first principle of his creed — the absolute sovereignty of God over nature and all her powers. It seems that this form of idolatry prevailed at least in the northern kingdom, for Jeroboam is related to have set up for adoration not only calves but also he-goats (עֲזִיזִים), and to have appointed special priests for this service (2 Chr. XI. 15). But did it still linger among the Jews at the date of our chapter, that is, in the Persian period? There can be no doubt that,

after their return from Babylon, the Jews of Palestine maintained an active intercourse with the Eastern empire and with Egypt, and were familiar with the institutions of both; thus notions borrowed from the Persian creed were combined with Egyptian conceptions; of this amalgamation we have a remarkable instance in the Book of Job, which was written about the same period, and which, on the one hand, introduces the Persian Satan and council of angels, and on the other describes the hippopotamus and the crocodile in a manner as they can only be described by one who personally observed them in their native Egypt. Therefore, while we believe that the "he-goats" of our text, like Azazel who periodically received a sin-laden goat, are chiefly meant for Persian demons or satyrs, wildly dancing and yelling in deserts and on ruins (Isai. XIII. 21; XXXIV. 14), they also include the goats which were held sacred among the Egyptians, and which were by the Hebrews understood as pagan symbols. Some sects of the Zabii likewise supposed that their deities frequently assumed the form of goats, and therefore simply called them goats: this belief may have sidereal significance, and may symbolise the fructifying power of the vernal sun (comp. *Herod.* II. 42, 46 — γυναικὶ τράγος ἐπιτέτετο ἀναφανδόν —, 145, and *Wilkinson's* remarks in locc.; and *Anc. Eg.* I. 260; *Bunsen*, *Eg.* I. 374; *Strab.* XVII. I. 19, p. 802, ὡς δὲ ἡ ἑνὶ τῷ τράγῳ ἐνταῦθα γυναῖξί μίγνυνται; *Acl. Nat. An.* VII. 19; *Diod. Sic.* I.

to the Lord. 7. And they shall no more offer their sacrifices to demons, after whom they are going astray. This shall be a statute for ever to them throughout their generations.

18, 88; *Steph. Byz.* s. Πανός πόλις and Μένδης; *Suid.* s. Μένδην; *Horapoll.* I. 48; *Maim. Mor. Nev.* III. 46; *Boch. Hieroz.* I. 641 sqq.; II. 828, 829; *Jablonski, Panth.* I. 272—304; *Gesen.* on Isai. XIII. 21 and XXXIV. 14.).

PHILOLOGICAL REMARKS. — It has been vaguely contended, that "the service in the Sanctuary having been fixed, the author inserts here in its right place a law restricting all worship to that Sanctuary, which he appoints the centre of the nation" (*Ranke, Untersuch.* I. 104); however, the preceding chapter does not regulate the Temple service in general, but only the rites of one day of the year; and that chapter itself is separated from the main sacrificial code by elaborate ordinances on purification. Not more obvious is this alleged connection: "The great atonement offered, Israel is to enter upon a new life; . . . it may not do after the abominations of the heathen; . . . here consequently we find those laws which especially distinguish the nation of Israel from all other nations of the earth" (*Perowne* in *Smith's Dict. of the Bible*, II. 112): but our chapter contains no systematic survey of fundamental laws, among which, for instance, those on the Sabbath, Passover, and circumcision could not have been omitted, but a few supplementary injunctions on sacrifices and purity. Bertheau's usual search for "decalogues" of laws is in this section particularly unsuccessful; he confesses that he can find no more than six enactments; but in treating chapters XVII to XX as belonging together, he contrives to make out seven decalogues; and he proposes to place our chapter before

the twentieth, in which he counts fourteen precepts which, with our six, would produce two decalogues (*Gruppen*, pp. 197 sqq.): these devices show sufficiently the frigid and mechanical character of his principles. The contents of the 17th to the 25th chapter have been characterised as "laws for the sanctification of the Israelites in their alliance with God" (*Baumgarten, Keil*); but this describes very imperfectly a large number of precepts which comprise among others the laws of matrimony and of charity towards the poor. To sum up, all attempts at proving a systematic arrangement have as yet been unavailing. — It is difficult to understand the assertion of a critical interpreter that the laws under discussion "may, as regards their matter, be Mosaic", though he admits that "with respect to vers. 8 and 9 this is not entirely the case" (*Knob.* Lev. p. 495); deceived by the successful representation of the Sinaitic age, he assumes, with many others, that the first law — that which commands the slaughtering of *all* animals at the Tabernacle — was meant to be valid for the time of Moses only, and he is thus compelled to put a strained construction upon the plain words, "this shall be a statute for ever (*לְעוֹלָם עֲצֻרָה*) to them throughout their generations" (ver. 7): if the growth of hierarchical principles among the Hebrews be well considered, all uncertainty disappears. Talmudical authorities supposed that contravention of our law was punished with excision if intentional; but that it was atoned for by a sin-offering if accidental. It is a matter of course that per-

8. And thou shalt say to them, Any man of the house of Israel, or of the strangers who sojourn among them, that offers a burnt-offering or thank-offering, 9. And does not bring it to the door of the Tent of

fect animals only, such as were duly qualified for the Altar, came within the scope of the precept (comp. *Talm. Zevach*. 106; *Kerith*. 2; *Maimon. Maas. Hakk.* XVIII.). Some manuscripts read, in vers. 3, 8, 10, and 13, *וְהָיָה* instead of *וְהָיָה* (and thus the Sept. τὼν υἱῶν Ἰσραὴλ, and other ancient versions); the difference is unessential, but the received reading seems preferable, because less common. The Sept. adds after *וְהָיָה* (ver. 8) ἡ τῶν προσεγγιζόντων τῶν προσεγγιζόντων ἐν ὁμίῳ, thus including the stranger in the operation of the law; this addition, if genuine, would be important (see *infra*), but it is not confirmed by other ancient translations, nor by the manuscripts. Of no greater authority are the words inserted by the Sept. and the Samaritan text in ver. 4 after *וְהָיָה*, namely, *ὅτις ποιῆσαι αὐτὸ εἰς ὀλοῦν* — *μα ἡ σωτήριον κυρίῳ δεκτὸν εἰς ὁμίῳ* *εὐωδίας, καὶ ὅς ἂν σφάξῃ ἔξω, καὶ ἐπὶ τὴν θύραν τῆς σκηνῆς τοῦ μαρτυρίου* *ἐνέλκῃ αὐτό.* — The sense of the words *וְהָיָה* (ver. 4) is clear, and has been expressed by Rashi: "it is as if he sheds the blood of a man, and thus forfeits his life" (Luzzatto: "ciò verrà considerato a quell' uomo qual omicidio; egli ha versato sangue umano"). — The traditional explanation of the words *וְהָיָה* (vers. 4, 9) is, "his progeny shall be destroyed, and his days shall be shortened" (so *Rashi* in loc.). — The construction in ver. 5 *וְהָיָה* is rather loose; the first verb introduces the object, the second has, besides, other complements — "in order that the children of Israel may bring their sacrifices . . . and may bring them to

the Lord to the door of the Tent of Meeting" etc. — The term *וְהָיָה* the open field conveys the notion of perfect and unrestrained freedom (comp. *XIV.* 7, 53; *Num.* XIX. 16), which, in this case, rises to uncontrolled licentiousness; it implies, therefore, a double contrast to *וְהָיָה* — a circumscribed place standing under priestly supervision. — The accusative *וְהָיָה* (ver. 5) has an unusual and almost forlorn position at the end of the sentence (see *Gramm.* II. § LXXIV. 5). — *וְהָיָה* may simply be "goats", or goat-like creatures (i. e. the "hairy" or "shaggy", like *hircus* from *hirtus* or *hirsutus*, Aq. and Sym. *τριχῶδες*, Saad. *عز بري* wild goats, Dathe, Luzz. a. o. satyrs; some suggest "monkeys", *Saalsch.* Mos. B. I. 302), living in fields and deserts, in accordance with the explanation above given (Luther *Feldteufel* or *Feldgeist*; Gesen. *Waldteufel*); or it may be the "dreaded beings" (from *וְהָיָה* in the sense of holding in awe, *Deut.* XXXII. 17), and would thus coincide with *וְהָיָה* lords or rulers, to whom boys and girls were sacrificed (*Deut.* I. c.; *Ps.* CVI. 37); the word is indeed rendered *וְהָיָה* by Onk., Jonath., Syr., Rashi, Ebn Ezra, a. o. (Vulg. *daemones*, Engl. Vers. *devils*, Zunz *Teufel*; Philipps. Unholde). But it is, less probably, traceable to *וְהָיָה* in the sense of shuddering, so that it would be "creatures causing a shudder to those who behold them" (thus Ebn Ezra, Bechai, Spencer, a. o.). The Sept. has *μαῖα* (i. e. *μαῖα*), which term is too vague; still less can the *וְהָיָה*, to whom sacrifices were offered in the open field, and who are mentioned in contra-

Meeting, to offer it to the Lord; that man shall be cut off from among his people.

10. And any man of the house of Israel, or of the strangers that sojourn among them, that eats any blood—I will set My face against that person that eats blood,

distinction to *מזבח*, be "beast-images of the deity, such as were common among the Egyptians" (*Hofmann*, *Schriftbeweis*, I. 433; comp. *Hoeltmann*, *Neue Bibelstudien*, pp. 351—354). — Idolatry is consistently represented as "faithlessness" (*אפסות*), since God and Israel have concluded a covenant, which is allegorically or poetically described as a matrimonial alliance (see *Comm. on Exod.* p. 333). — Some interpreters, as *Ebn Ezra* and *Nachmanides*, point out, that the word *אפסות* (ver. 7) shows that the Hebrews had practised "goat-worship" in Egypt ("and they shall no more offer their sacrifices to demons"); that particle implies indeed that the abuse was still prevalent in the author's time; but this was not the age of Moses, but about a thousand years later. — The traditional text has *אפסות* in vers. 8 and 13, and *אפסות* in ver. 12, but in all these passages the ancient versions and the manuscripts vary (see *De Rossi*, *Var. Lect.* I. 98, 99). — *אפסות* (ver. 8) is *thank-offering* (as in *Exod.* XVIII. 12; *Lev.* XIII. 37; *Num.* XV. 3, 8; etc.), for which the more usual term is *אפסות* or *אפסות* (see *Comm. on Lev.* I. 241).

10—14. Our author now forbids the eating of blood with a fulness as if the subject had never been treated of before, and with an earnestness, as if he were dwelling on the very essence and kernel of religion. And indeed he views the matter in a new light, and he blends it with the chief ideas of his creed. He prohibits blood mainly in connection with the laws of sacrifice, and he reserves it for the

purposes of atonement. To him the Altar was the centre of national life, and to him the expiatory offerings were so decidedly the crowning stone of the sacrificial system, that he invested all classes of sacrifice, even holocausts and thank-offerings, with the force of atonement (comp. I. 4). These two points involve both the excellence and the weakness of levitism; the ends which it endeavoured to secure were admirable, but it strove to secure them by means which almost defeated their object; for it aimed at purity of the heart, humility, and unselfish devotion, but by extending formalism and especially the sphere of sacrifices, it fostered hypocrisy and self-righteousness. It rendered inward regeneration dependent upon a multitude of mechanical rites, which in an uncommon degree intensified the inherent dangers of ceremonialism.

But the author was by his theories placed in a perplexing difficulty. He commenced with the broad principle: "The life of the flesh is in the blood; and I have given it to you upon the Altar to make an atonement for your lives, for it is the blood that makes an atonement by the life of the animal" (ver. 11). However, a few only of the clean beasts were lawful victims: should the blood of all the other animals be permitted? Such was indeed the natural consequence of that principle; and yet the eating of any blood whatever had from times immemorial been regarded with utter abhorrence, which the levitical author was certainly not inclined to abate. In this dilemma, he was com-

and will cut him off from among his people. 11. For the life of the flesh *is* in the blood; and I have given it to you upon the altar to make an atonement for your lives: for the blood makes an atonement by the life. 12. Therefore I say to the children of Israel, No soul

pelled to have recourse to the original principle which forbade blood simply because "the life of all flesh is its blood" (ver. 14); and thus he was enabled to bring within the range of his law the blood of the clean quadrupeds and birds not admitted on the Altar, and of those killed in the chase. His theory is, therefore, heterogeneous and wanting in unity: unwilling to acquiesce in a merely physical reason, he elevated it to the sphere of religion and atonement; yet, as, in doing so, he greatly narrowed the operation of the law, he returned to the physical reason, simply because it is more comprehensive. The subtlety of religious speculation did not wholly cover the popular practice. All these points, together with the successive stages of the law, have before been more fully dwelt upon (pp. 2—9; and I. pp. 121—126); nor need we here again explain why no blood, not even that shed in hunting, was to be left uncovered, since it would defile the earth, and, representing the spirit of life breathed into the animal by God, would "cry to heaven" (see Comm. on Gen. p. 218; comp. Job XVI. 18; Ezek. XXIV. 7).

The importance of this passage is evident; for it contains the plainest expression of the idea of vicariousness: the blood is the soul of the animal; and that soul is to be offered up to God on the Altar as an expiation for the worshipper's soul or life, which God might have demanded for his sins; and it is impossible to deny the great weight which that notion possesses in Hebrew theology

(see Part I. pp. 291—302). Yet our passage can hardly be called "the key to the whole sacrificial theory" (so Bähr, Symbol. II. 199 *sqq.*); for it does not touch the large number of bloodless offerings (חֲטָאתֵי טָהוֹרִים), which were often presented alone, and even as sin-offerings (see I. pp. 220, 262); nor does it embrace the cases in which expiation was wrought by priestly fumigation or by money dedicated for the use of the Sanctuary (see I. p. 274); it merely dwells on the disposal and significance of the blood of victims for the purpose of expiation (see I. p. 125).

PHILOLOGICAL REMARKS. — "I will set My face (פָּנַי נִקְרָא) against that person" (ver. 10), evidently means "I will make him feel My wrath"; hence Onkel. renders פָּנַי, and Zunz "meinen Zornblick". — The words וְהָיָה דָּמָא דְּחַיָּה וְדָמָא דְּבְרִיָּה (ver. 11), which include the principal reason, from a levitical point of view, for the interdiction of blood, can, as regards language and context, only mean — "for it is the blood which makes atonement by the soul", that is, the blood of the victim expiates the worshipper's sins by the soul of the animal, which is identical with its blood: thus the words express clearly the doctrine of vicarious sacrifice, which is also implied in the antithesis of נֶפֶשׁ and נִשְׁמָה (so Ebn Ezra — וְהָיָה נִשְׁמָה בְּדָמָא דְּחַיָּה, — Abarban., Bähr, Winer, Kurtz — mittelst der Seele —, Delitzsch — vermöge oder kraft der Seele — Saalsch., Zunz, Philipps., Hofmann, Gerlach, Oehler, Knobel, Keil); others render "for the blood (of the animal) is an atonement instead of (the worshipper's) life" (so

of you shall eat blood, nor shall any stranger that sojourns among you eat blood. 13. And any man of the children of Israel, or of the strangers that sojourn among them, who hunts *and* catches any beast or fowl that may be eaten; he shall pour out its blood, and cover it with earth. 14. For the life of all flesh is its blood through

Sept. τὸ γὰρ αἷμα αὐτοῦ ἀντὶ ψυχῆς ἐξιδέσται, Vulg. et sanguis pro animae piaculo sit, Jonath., Luther denn das Blut ist die Versöhnung für das Leben, Rashi שְׂמַח לְ נַפְשׁוֹ שֶׁנֶּחָר, Nachman.); or simply "the blood atones the life" or the soul of the worshipper (so Onkel., Engl. Vers., Dathe, Gesen., De Wette, Hengstenb., Luzzatto, and many others): but the person or thing expiated, in connection with נָפֶשׁ, is never introduced by אֵל, but usually by לָ (as in this very verse נֶחָר לְ נַפְשׁוֹ), and sometimes by מִן or מֵ (see I. p. 476); and the phrase, instead of being explanatory, as we must expect from the particle אֵל, would be a feeble repetition of the idea that is to be explained. When the preposition אֵל with נָפֶשׁ does not express the place (as Lev. VI. 23; XVI. 17, 27), it denotes always the means or instrument of expiation (Gen. XXXII. 21; comp. Lev. V. 16; VII. 7; XIX. 22; Ex. XXIX. 33; Num. V. 8; 1 Sam. III. 14; 2 Sam. XXI. 3; Isai. XXVII. 9; Ezek. XLIII. 22; Prov. XVI. 16; and so in our passage נָפֶשׁ "by the soul"). Hofmann, Kliefoth, Bunsen, a. o., taking אֵל as a essentiae, translate "das Blut sühnt als die Seele", or as Oehler gives it, "in der Eigenschaft der Seele". — Too subtle is the exposition of Bähr (Symbol. II. 209), who supposes that the human נָפֶשׁ, being the medium of ἐκείνου(α), is the birth-place and home of sin, the source of all selfishness (— because נָפֶשׁ is in Hebrew used as a personal pronoun —), and must, therefore, be ex-

piated. But the נָפֶשׁ of the animal is merely its principle of life or of physical existence, while the נָפֶשׁ of man, in the context of our passage, is the soul as organ of the moral functions (see Comm. on Gen. pp. 107, 218; and on Lev. I. p. 294). Not more plausibly observes Kurtz (Opferc. pp. 54—58), that the soul of the animal, which is guiltless because guided by a necessary instinct, is fitly chosen to expiate the soul of man, which is guilty because free and responsible: but according to Biblical notions the animals also are liable to depravity (see Comm. on Gen. p. 179). — In the fourteenth verse, the word נָפֶשׁ causes some difficulty: the phrase in which it occurs (לְ נַפְשׁוֹ אֵל נָפֶשׁ אֵל נָפֶשׁ) seems to mean, "for the life of all flesh is its blood with, or through, its life" or animating power, that is, the blood is to be held sacred, not in itself or for its own sake, but in so far as it contains the elements or conditions of animal life; and those words may possibly be intended to prevent the superstitious awe with which pagan nations looked upon the blood, and which led to many irrational usages. Another translation is, "for the life of all flesh is its blood in or during its life", that is, as one interpreter explains it, "the life of all creatures consists in its blood, but only in as much and as long as this is allied with its נָפֶשׁ: and encloses and contains it, lest coagulated or dried blood also, from which the נָפֶשׁ has passed away, be considered as the life" (Knob., similarly

its life: therefore I say to the children of Israel; You shall eat the blood of no manner of flesh; for the life of all flesh is its blood; whosoever eats it shall be cut off.

15. And any person that eats that which died of itself, or that which was torn *by beasts*, whether it be a native or a stranger, he shall wash his clothes, and

Luther "denn des Leibes Leben ist in diesem Blute, so lange es lebt", and probably De Wette, denn das Leben alles Fleisches ist sein Blut in seinem Leben"): but it is doubtful whether the suffix in *וְהָיָה* can be referred to the subordinate noun *וְהָיָה*; and still more so, whether *וְהָיָה* can be paraphrased, "as long as it lives" or "during its life-time". Equally questionable seems Rashi's exposition, which, *וְהָיָה* being rendered "instead of its life" (*מְעוֹד חַיּוֹתָא*), almost produces a tautology, "for the life of all flesh is its blood, which is instead of its life". Ebn Ezra explains, "its blood that is united with its life", which is neither quite distinct as regards the construction nor as regards the sense. Nachmanides and others render *וְהָיָה* "in its body" (Luzzatto: la vita d'ogni animale è il sangue ch'esso ha nel corpo), and Ewald (Alterth. p. 39), as doubtfully, "its blood itself", and so *וְהָיָה* in ver. 11. The Chaldean translators literally reproduce the Hebrew text, and offer, therefore, no assistance; and the Septuagint and Vulgate entirely leave out the embarrassing word *וְהָיָה* (*ἢ γὰρ ψυχὴ πνεύματος αἵμα αὐτοῦ ἐστίν*, and *anima enim omnis carnis in sanguine est*). We might well adopt the translation "as regards the life of all flesh, its blood forms its soul" (*וְהָיָה*, so Keil), if such a free application of *וְהָיָה* essential were warranted by usage. Other versions are vague or mystical (f. i. *Delitzsch*, Bibl. Psych. p. 196, "sein in seiner Seele wesendes Blut"; *Baumgarten*, Comm.

p. 198, "das Blut ist in der Seele, insofern das Blut als die Erscheinung in der Seele sein Wesen hat"; *Oehler* in Herz. Real-Encycl. X. 630, "sein beseeltes Blut", a. o.). — The legislator commands the covering of blood spilt in chasing animals, or in killing such as have been chased (ver. 13): but this does not prove that the Hebrews were, at the author's time, accustomed "to suck at once the warm blood of hunted animals" (*Ghilleri*, Menschenopfer, p. 608); our passage implies merely what is elsewhere explicitly stated, that they ate the flesh "with the blood" (*וְהָיָה*), and that they did so even in very late periods, as in the time of Ezekiel and afterwards (18 Sam. XIV. 32; Ezek. XXXIII. 25; etc.; see *supra* p. 3). — We must translate *וְהָיָה* (ver. 12) "therefore I say to the children of Israel", not "I said"; for in no previous "Sinaitic" law is the prohibition of blood extended to the stranger as well as to the Hebrews (comp. III. 17; VII. 26, 27); our chapter bases that prohibition on entirely new grounds, and its unity and harmony with preceding sections cannot be upheld (see, f. i., the apologetic remarks of *Ranke*, Untersuch. II. 81).

15, 16. The transition from blood to the flesh of animals that have died of themselves (*וְהָיָה*), or have been torn by wild beasts (*וְהָיָה*) is natural and intelligible, as such flesh was partially, if not chiefly, interdicted, because it allowed but an imperfect removal of its blood (see pp. 15, 20). And this law also tends

bathe himself in water, and shall be unclean until the evening; then he shall be clean. 16. But if he does not

to prove the advanced date of our chapter. The strangers living among the Hebrews are included in nearly all the enactments — in the command permitting sacrifices at the common Sanctuary only, in the prohibition of blood, and in the ordinances concerning חֵטְא and חַטָּאת ; the idea of a holy and united community, protected against all dangers of idolatry, had at last been deeply rooted, and was striving after complete realisation. In the first law only — that which converts the slaughter of every beast into a sacrifice — the stranger is not mentioned; for though non-Hebrews, forming part of Hebrew settlements, could be compelled to abstain from pagan worship, they could not be compelled to revere the God of the Hebrews; therefore, whenever they were inclined to offer a sacrifice to Jehovah, they were commanded, like the Israelites, to offer it at the national Sanctuary; but whenever they simply desired to kill an animal for food, they were free to do so at any place they chose. As regards חֵטְא , the earlier Deuteronomist, less strict in ritual matters, expressly allows it as food to the stranger (Deut. XIV. 21); and even a preceding portion of our Book (XI. 40) prescribes, in cases of transgression, only washing of garments and uncleanness till the evening; but our section adds, besides, bathing in water, which it enjoins whenever חֵטְא has been eaten; and another law ordains the same illustration for priests who have merely *touched* such flesh (XXII. 5, 6; see *supra* p. 181). If we, moreover, consider that our author treats חֵטְא , which had long been more leniently viewed, with exactly the same rigour as חַטָּאת , and that, with respect to both, he warns tres-

passers to dread the consequences of their "iniquity": it will be admitted that this section breathes the most thorough and most developed levitism.

We must, however, in conclusion, allude with a few words to a remarkable discrepancy. A previous law enforces a sin-offering for the *inadvertent touch* of חֵטְא (V. 2, 5, 6); while our verses demand merely bathing and washing of garments for the *intentional eating* of חֵטְא . It is not impossible that the former passage treats of the carcass of unclean, ours of clean animals (like XI. 39, 40), though there is nothing in the wording of our verses which claims, or even favours, this restriction; but it is more probable to suppose that at the date of this chapter the principle had fully prevailed that sin-offerings should only be presented for undesigned trespasses, and not, as had before been usual, for intentional offences also; therefore, the legislator could treat the voluntary eating of חֵטְא only as an ordinary defilement, but he took care to brand this defilement with unusual severity. Thus the gradual growth of the levitical system inevitably engendered many incongruities.

PHILOLOGICAL REMARKS. — The Karaite Aaron, in his Commentary, distinctly refers this law to cases of inadvertency ($\text{אֵלֶּיךָ לֹא הָיָה}$), and thus confirms the disagreement with V. 2 *sqq.* The same writer considers the stranger here mentioned to be "the stranger of righteousness" (פֶּתִי צַדִּיק), who shared all religious duties and privileges with the Hebrews, whereas he supposes that in Deuteronomy (XIV. 21) the "stranger of the gate" (פֶּתִי צַדִּיק) is meant, who was required

wash *his clothes*, nor bathe his flesh, then he shall bear his iniquity.

to observe no more than the seven Noachic laws, but was merely a tolerated citizen, and no member of the religious community (see Comm. on Exod. p. 433). As the interdiction of blood was presumed to be one of those primitive laws (p. 9), the stranger mentioned in ver. 10 is "the stranger of the gate". — Jewish interpreters give this explanation — he who eats *חלב* or *חמץ* is guilty if, without pre-

vious lustration, he enters the Temple or eats of holy things (so Herxheimer, Johlson, Salomon, Luzzatto, a. o.): but the operation of the laws of purity is not confined to matters connected with the Sanctuary (p. 193). — The term "he shall bear his iniquity" (*וְהָיָה כִּי יִשָּׂא*) does not mean "he shall suffer death"; both expressions are clearly distinguished from each other (comp. XX. 17, 19).



IV.
MORAL AND MISCELLANEOUS LAWS.
CHAPTERS XVIII TO XX.

INTRODUCTORY ESSAY.
**THE MATRIMONIAL LAWS OF THE BIBLE AND THEIR
LATER DEVELOPMENT.**

It seems expedient to begin with an historical sketch of the matrimonial laws and customs which prevailed among the Hebrews from the earliest times down to the completion of the levitical code.

For many centuries, marriages with non-Hebrews were freely contracted, without calling forth either censure or comment. Joseph took to wife the daughter of an Egyptian priest¹, and Moses married first the daughter of a Midianite chief, and then an Ethiopian woman; against this latter alliance Aaron and Miriam indeed murmured, but, we are told, God punished them severely for their presumption². The sons of Elimelech of Bethlehem took Moabite wives, and one of these, Ruth, was, after her husband's death, married to Boaz in the land of Judah, not only with the knowledge, but with the full approval of his fellow-townsmen³. During the period of the Judges, "the children of Israel dwelt among the Canaanites, the Hittites, and Amorites, the Perizzites, the Hivites, and Jebusites; and they took their daughters to be their wives, and gave their daughters to their sons"⁴: the displeasure pronounced by the historian at

¹ Gen. XLI. 45.

² Ruth I. 4; IV. 9—14.

³ Exod. II. 21; Num. XII. 1 *seqq.*

⁴ Judg. III. 5, 6.

this conduct only shows how it was viewed in his own much later time. Hiram, the famous artist, was the son of a Hebrew woman and a Phœnician workman; and he was employed by King Solomon for the adornment of the holy Temple⁵. Bathsheba, the mother of Solomon, was first the wife of "Uriah the Hittite"⁶. It is uncertain whether she was likewise of Canaanitish descent: if she was not, a Hebrew woman took a heathen husband; and if she was, a Hebrew king took a heathen woman. Solomon married the daughter of the Egyptian Pharaoh; and the historian, having recorded this fact, added, "And Solomon loved the Lord, and walked in the statutes of David his father"⁷. It was only when the king had taken, besides, numerous foreign wives, who in his old age tempted him to idolatry, that the author, who wrote after the Babylonian exile, expressed his strong indignation⁸. The Deuteronomist does not object to the marriage of Hebrews with captive women of the heathen⁹. And even Esther, living in the Persian period, is related to have married a heathen king, without any effort being made by her pious relative Mordecai to prevent or to dissolve the union¹⁰.

When, however, in the course of time, the nationality of the Hebrews became more marked and more distinct, they showed a growing disinclination to matrimonial alliances with other tribes; and proud of their race, they were anxious to preserve it pure and unmixed. The author of the patriarchal history in Genesis attributes to Abraham an injunction given to his steward not to take a wife for his son Isaac from the daughters of Canaan, but to select one in his Mesopotamian home¹¹; and he relates that Isaac and Rebekah were deeply grieved because their son Esau had intermarried with Hittite families, and that they sent Jacob away to seek a wife beyond the Euphrates¹². When Samson was, desirous of marrying a Philistine maiden of Thimnathah, his parents earnestly dissuaded him, saying—"Is there no woman among the daughters of thy brethren, or among all thy people, that thou goest to take a wife of the uncir-

⁵ 1 Ki. VII. 13, 14. Josephus (*Antiq.* VIII. iii. 4), taking offence at this statement, converts the Phœnician father of Hiram into an Israelite, and calls him Uriah (πατὴρ δὲ Οὐρίου, γένος Ἰσραηλιτῶν).

⁶ 2 Sam. XI. 3; XXIII. 39.

⁷ 1 Kings III. 3.

⁸ 1 Kings XI. 1 *seqq.*

⁹ Deut. XXI. 10—14; comp. *Selden*, *De Jur. Nat. et Gent. lib. V. c. 13*, pp. 617 *seqq.*

¹⁰ Sometimes circumcision seems to have been required from non-Hebrews who wished to marry Hebrew women; comp. Gen. XXXIV. 14—17.

¹¹ Gen. XXIV. 3, 4.

¹² Gen. XXVI. 34, 35; XXVII. 46;

cumcised Philistines?" Yet the writer observes that Samson acted by a Divine impulse, that he might find means to humble the Philistines¹.

In a succeeding stage of Hebrew history, religious objections were added to national antipathies, and rendered marriages with foreigners doubly hateful in the eyes of Jewish patriots. They denounced such marriages as a snare to their faith, as a fatal inducement to idolatry²; in order to remove the temptation and the danger, they forbade any treaty or alliance of whatever kind to be concluded with non-Hebrews³; and at last they did not even allow idolaters to dwell within the Hebrew settlements⁴. The Law enjoined that the offspring of an Edomite or of an Egyptian should be excluded from the Hebrew community down to the third generation; and that no descendant of an Ammonite or a Moabite should ever be admitted as a member of the chosen people⁵. But these principles were very tardily adopted. Long after the Babylonian exile, Ezra saw with sorrow and dismay that people and priests alike had intermarried with the heathen tribes in and around Palestine, and that thus "the holy seed had been mingled with the people of strange lands." He made the most determined efforts to purge the commonwealth from these obnoxious elements; yet not long afterwards Nehemiah and Malachi found heathen alliances again so prevalent that the children almost ceased to understand Hebrew⁶. However, mainly owing to the zeal of these reformers, marriages with strangers were from that time scrupulously shunned as criminal⁷; and hence the Samaritans or Cutheans, the progeny of Israelites and Assyrians, were regarded with a fierce enmity which has hardly a parallel in history⁸.

From these facts we may draw some significant inferences throwing light upon the date and composition of the Pentateuch. Moses

XXVIII. 1, 2, 6—9; XXIX. 19; XXXVI. 2, 3. Lot, however, selected Canaanite husbands for his daughters (Gen. XIX. 14). Comp. *Augustin. De Civit. Dei* XV. 16.

¹ Judg. XIV. 1—4; comp. also XVI. 1, 4.

² Exod. XXXIV. 16; Deut. VII. 3; comp. *Talm. Yevam.* 76^b; *Kiddush.* 68.

³ Exod. XXIII. 32; XXXIV. 12, 15; Deut. VII. 2.

⁴ Exod. XXXIV. 33; Deut. VII. 2;

comp., however, Judg. I. 19, 21, 27—35; II. 21—23; III. 1—5, etc.

⁵ Deut. XXIII. 5—9; comp. 1 Ki. XI. 2.

⁶ Ezra IX. 1 *sqq.*; X. 1 *sqq.*; Neh. X. 31; XIII. 23—27; Mal. II. 11.

⁷ Comp. *Tacit. Hist.* V. 5, *projectissima ad libidinem gens, alienarum concubitu abstinens.*

⁸ Comp. *Joseph. Ant.* XI. iv. 9; XX. vi. 1, etc.; comp. *Selden loc. cit. lib.* V. c. 12, pp. 612 *sqq.*

took for his second wife a woman from the detested race of the Hamites⁹, and this he is said to have done after the promulgation of the Sinaitic laws, which rigorously proscribe such a marriage.¹⁰ These laws can, therefore, not have been promulgated by Moses.—The Book of Ruth was evidently written at a time when marriages with the heathen were frequent and were still looked upon as unobjectionable; for it sets forth the descent of the great King David from a Moabitish woman; and the author, so far from condemning the marriage of Boaz and Ruth, represents it as a pious and praiseworthy act on the part of both. And yet such an alliance is in the Pentateuch declared an abomination; the offspring issuing from it were for ever banished from the community; they were illegitimate outcasts with regard to whom the Hebrew was enjoined—"Thou shalt not seek their peace nor their prosperity all thy days for ever"¹¹. Can these commands of the Pentateuch have been in force at the time when the Book of Ruth was composed—that is, at the earliest, in the reign of David or Solomon? And as David was the descendant of a Moabitess, so was Rehoboam the son of an Ammonite woman Naamah¹², and yet no objection was raised to their occupying the throne of Israel as theocratic kings.

Turning to marriages of affinity and consanguinity, we find that, for a long time, the customs of the Hebrews closely resembled those of other ancient nations. Like the Egyptians, the Persians, and others, the Israelites do not seem to have shunned marriages with sisters¹³. According to the cosmogony in Genesis, all human families are derived from one primitive couple; the author must, therefore, have deemed conjugal connection between brothers and sisters blameless¹⁴. Abraham, the son of Terah, married his half-sister Sarah, Terah's daughter¹⁵. The wife of Amram was Jochebed, his aunt, the

⁹ Num. XII, 1, see *supra*.

¹⁰ Exod. XXXIV. 16.

¹¹ Deut. XXIII. 7; comp. ver. 4.

¹² 1 Ki. XIV. 21, 31.

¹³ Comp. *infra* on XVIII. 6.

¹⁴ Comp. *Talm.* Sanhed. 58^b, where the words *אדם ואישה* (Pa. LXXXIX. 3) are explained, "An act of *אדם* (i. e. marriage with the sister, comp. XX. 17) has built up the world"; *Targ. Jon.* on XX. 17; *August.* De Civit. Dei XV. 16, *virī sorores suas conjuges*

acceperunt; *Selden* loc. cit. lib. V. c. 8, pp. 576 *sqq.*

¹⁵ Gen. XX. 12. Later Jews, assuming that the ordinances on incest (*אדם ואישה*) were enjoined upon all men at the time of Noah (see *supra* p. 10), and anxious to free Abraham from the stain of having married his sister, asserted that Sarah was the daughter of his brother Haran (*Joseph. Ant.* I. vi. 5; *Michael.* Ehgesetze § 23; comp. *Rashi* on Gen. XX. 12, "grand-

mother of Aaron and Moses¹. More noteworthy is the instance of Amnon and Tamar, David's children. When Amnon was bent upon doing violence to his sister, she thus implored him, "Now speak, I pray thee, to the king, he will not withhold me from thee"; and when, after the commission of the outrage, Amnon bade her leave him, she remonstrated—"This evil in sending me away is greater than the other that thou didst to me"². However, the Deuteronomist already set a curse upon marriage with a half-sister³. Jacob had simultaneously two sisters for wives. This double marriage, which indeed the patriarch did not originally contemplate, was not stigmatised by the historian, though it was afterwards by the legislator⁴.

Gradually, however, principles were adopted which resulted in a distinctive system of matrimonial laws. Purity of race and purity of creed were no longer the only objects kept in view. Matrimony was not merely regarded in its social, but in its moral bearings; it was estimated less by the influence it exercises upon the community than by its effects upon the families; and it was designed not only to cement the nation but to improve the individuals. It was almost raised into a sacrament. There was, on this point, no antagonism between Church and State. Neither of them disputed to the other the right of sanctioning marriages, for both alike endeavoured to promote the moral education of every Hebrew. Husband and wife were now regarded as "one flesh" (אֶחָד בָּשָׂר). The beautiful narrative of the creation of the first woman was framed to show that "a man must leave his father and his mother, and cling to his wife"⁵;

children are like children, and in this way Sarah was Terah's daughter"; and similarly other Jewish writers); the same view is also entertained by the Arabs (comp. *Abul'ed. Hist. Antislam.* p. 20 ed. Fleischer; *Clericus* on Genes. XX. 12, and on Lev. XVIII. 9).

¹ Exod. VI. 20.

² Comp. 2 Sam. XIII. 13, 16, 20. Ancient Jewish expositors assumed that David was not the father of Tamar, but that he merely reared her up in his house, after he had married her mother (comp. *Ebn Ezra* on XVIII. 11). Michaelis (*Ehegesetz*, p. 12) observes, that it might have been expected that David would in this

individual case "have granted a dispensation": but no one had the power of suspending the statutes of the Law, which professed to emanate from an authority higher than even that of a Hebrew king.

³ Deut. XXVII. 22.

⁴ Comp. Lev. XVIII. 18. The narrative, prompted by national hatred, of the alleged crime of Lot's daughters, and Absalom's connection, for political reasons, with his father's concubines, afford no proof with regard to Hebrew customs (comp. Gen. XIX. 33—36; 2 Sam. XVI. 21, 22; XX. 3; also Gen. XXXV. 22; 1 Ki. II. 13—22).

⁵ Gen. II. 24; comp. Matth. XIX. 5;

and conjugal infidelity was deemed an offence so heinous that it was forbidden in the fundamental Commandments by the side of theft and bloodshed, and was punished with implacable severity⁶. The Deuteronomist attempted no complete enumeration of forbidden degrees; he mentioned only three instances of affinity, the step-mother, the half-sister, and the mother-in-law⁷; and it may be concluded that he considered consanguinity as an insuperable barrier to a matrimonial alliance. Fuller lists were subsequently furnished by levitical writers in two different sections. In one of them (ch. xx.) are proscribed, in addition to the cases specified by the Deuteronomist, marriages with the daughter-in-law, with the brother's wife, and with the aunt—whether the father's or the mother's sister, or the wife of the father's brother⁸. The other and still more elaborate list (ch. xviii.) begins with the general prohibition, "None of you shall approach to any that is near of kin to him"⁹; and interdicts, besides, the marriage with the mother, the grand-daughter, and with the wife's sister during the lifetime of the former¹⁰. But even this last list is incomplete. It omits the mother-in-law, who is named in the two other passages¹¹; and, like these, it does not make mention of the daughter: if it be urged that the legislator considered marriage with the daughter an enormity too unnatural to be ever committed, why did he specify the mother¹²?

It is important to keep these facts in mind in order to arrive at a just and rational estimate of the levitical marriage ordinances. The thirteen cases actually set down do not exhaust the prohibitions; they are merely the chief instances, which must be supplemented in accordance with the two principles above referred to, namely, that husband and wife are one flesh, and that it is unlawful to marry a blood-relation. The same reasons which militate against the marriage between nephew and aunt, militate against the marriage between niece and uncle; for if a man must avoid living in matrimony with his father's or his mother's sister, why should a woman be permitted to live in matrimony with her father's or her mother's brother?¹³

Mark X. 7, 8; Ephes. V. 31; see *Selden*, De Jur. Nat. et Gent. lib. V. cap. 2, pp. 541—544.

⁶ See Comm. on Exod. pp. 369, 422—425.

⁷ Comp. Deut. XXVII. 20—23.

⁸ Comp. Lev. XX. 11—21.

⁹ Lev. XVIII. 6, *לֹא תִקְרַב*.

¹⁰ Comp. Lev. XVIII. 6—18.

¹¹ Lev. XX. 14; Deut. XXVII. 23.

¹² The Koran (IV. 27) expressly includes the daughter (*وَبَنَاتُكُمْ*).

¹³ The assertion that "Orientals regard the niece as a more distant relation than the aunt" (*Nichols*, Mos. R. § 117), may be well-founded or not;

also disapproved by the Romans. When the Emperor Claudius desired to marry Agrippina, the daughter of his brother Germanicus, he attained his object only by prevailing upon the Senate, with much pressure and persuasion, to sanction a new law which permitted the marriage with the niece to all Roman citizens⁵; yet later authorities repealed this law, and returned to the old and deeprooted usage⁶. The apostolic constitutions and the earliest Christian Canons, supplementing the Biblical and the Roman laws of matrimony, prescribed, that "whosoever marries his niece can fill no clerical office." St. Ambrose declared against Paternus, a man of great distinction, that "such a marriage was forbidden by the law of nature and by an inborn feeling"; and Cranmer included the niece (*filia fratris*) in the list of forbidden relations⁷.

There are connected with this subject two points which are of peculiar interest because they permit us a deep insight into the origin and economy of the Law.

In the lists of Leviticus, the marriage with a brother's wife is twice clearly forbidden, and once it is denounced as a defilement and an abomination⁸, sure to be visited with the penalty of childlessness⁹. But, on the other hand, in Deuteronomy, such a marriage is, under certain circumstances, as clearly and as emphatically enjoined as a sacred duty—namely, if a man had died without leaving a son, his brother was obliged to marry his widow, and the first son born of this matrimony took the name of the deceased. If the brother refused to marry the widow, he was branded with public disgrace as a traitor to his family¹⁰. How is this manifest contradiction to be accounted for? For all attempts at *harmonising* it are necessarily unavailing. St. Augustine, and many others after him, supposed that the prohibition was confined to the case of the deceased brother leaving children, or that it restrained a man from marrying the *divorced* wife of his brother during the lifetime of the latter¹¹. These qualifications, it need hardly be remarked, are mere hazards devoid of the slightest Biblical support. It is usually asserted that, in Deuteronomy, "a concession

⁵ Thus Domitian married Julia, the daughter of Titus.

⁶ Comp. *Tacit. Annal.* XII. 5—7; *Sueton. Claud.* 26.

⁷ *Reformatio Legum Eccles.* p. 48 ed. Cardwell.

⁸ *Lev.* see *supra* p. 212.

⁹ *Lev.* XVIII. 16; XX. 21.

¹⁰ *Deut.* XXV. 5—10; comp. *Matth.* XXII. 23—28.

¹¹ *Quaest. in Lev.* LXI, non licere cuiquam defuncti fratris ducere uxorem, si defunctus posteros dereliquit; aut etiam illud esse prohibitum, ne liceret ducere fratris uxorem, etiamsi a fratre vivo per repudium recessisset.

was made to the old and widespread institution of the *levirat*,¹ or "an exception was granted in favour of a special case"¹. But if the custom of leviration existed, and was to be preserved, the marriage with the brother's wife could not be unconditionally forbidden. If, on the other hand, such a marriage was described as uniformly detestable, the custom of leviration could not be upheld; the prohibition and the custom cannot have existed simultaneously; they must belong to different periods. This appears, in fact, to be the case, and it involves the only rational explanation of the difficulty. Let it be remembered that the law concerning the *levirat* occurs only in Deuteronomy, and not in Leviticus, and that the interdiction of the marriage with a sister-in-law occurs only in Leviticus, and not in Deuteronomy. Now the *levirat*, which prevailed among the Hebrews from primitive times², as it obtained, and still obtains, among many eastern nations³, was intended to protect the agrarian rights of Hebrew families, and to prevent the extinction of representatives of Hebrew households, as is so well illustrated by the transactions related in the Book of Ruth. Therefore, the Deuteronomist, writing at a time when the old tribal and agrarian division was still in force, at least in a portion of the Hebrew territories, confirmed the old practice of leviration, and refrained from including in his matrimonial ordinances a prohibition against the marriage with a sister-in-law. But the levitical author, living in the post-Babylonian period, when that agrarian division was not carried out in the poor and scattered settlements, had neither a political nor a social reason for maintaining the *levirat*. He had, on the contrary, every inducement to suppress it, if possible; for to him the principle that "husband and wife are one flesh" had become a reality. He regarded, therefore, the husband's brother also as his wife's brother; a marriage with a sister-in-law was to him like a marriage with a sister,

¹ Comp. *H. W. J. Thiersch*, Das Verbot der Ehe innerhalb der nahen Verwandtschaft etc., 1869, pp. 31, 32; see also *Michaelis*, Mos. R. § 101; *Eheges.* Mos. § 71; *Baumgarten*, Theolog. Comment. p. 206 ("der Fall der Leviratshehe ist billig eine Ausnahme, weil dann der lebende Bruder in die Stelle des verstorbenen eingeht"); and some recent Commentators.

² Comp. Gen. XXXVIII. 6—11; Ruth IV.

³ As the tribes of Siam, Pegu, and Afghanistan, the Circassians, Tartars, and the Gallas in Abyssinia; see Comm. on Gen. p. 620. According to Hindoo law, funeral ceremonies for the peace of the soul might be performed by the children of the deceased, or by the children born by his widow to his brother or some other near relative or Sapinda (compare *Goldstücker*, *Mahābhārata*, pp. 14, 38).

and therefore incestuous; and should he who forbade a man to marry the wife of his *father's* brother, have allowed him to marry the wife of his *own* brother? These facts afford, besides, one of the strongest proofs of the later date of Leviticus as compared with Deuteronomy. We can well understand a progress from the primitive institution of the levirat to the rigorous interdiction of a marriage with so near a relation as a sister-in-law; but a retrograde step from such an interdiction to the levirat appears historically impossible. Later Judaism so strongly abhorred the alliance with a brother's wife that it expressly prohibited the levirat, in flagrant opposition to a clear law of the Pentateuch, and, by a strange and contradictory device⁴, forced the bridegroom's unmarried brothers to renounce beforehand all claims upon his wife, in case she should become a widow, and yet made them appear as if blamably evading a sacred duty imposed upon them by the Law. In some eastern communities, however, as among the Sefardim in Zafet, the levirat is still adhered to⁵.

The second point relates to a question which has been long and warmly discussed — the marriage with the deceased wife's sister⁷. It appears to us that the matter may be decided by a few simple considerations. If the marriage with the deceased brother's wife is rejected as an iniquity, the marriage with the deceased wife's sister must be regarded in the same light; for, according to levitical principles, the latter alliance also is virtually one between brother and sister. And yet, looking at the command as it stands in our received text, we must admit that such an alliance is plainly allowed: "Thou shalt not take a wife to her sister, to cause enmity, to uncover her nakedness, beside her, in her lifetime"⁸ — that is, a man is forbidden to have simultaneously two sisters for wives, but he may marry the second sister after the death of the first⁹. Here we are again in a perplexing dilemma: analogy demands the absolute condemnation of the marriage with a sister-in-law, and yet the clear wording of the ordinance condemns it only under certain circumstances. Are we to attach greater weight to the spirit of these statutes, or to the apparent distinctness of the language? We confess that we would fain uphold the consistency of the levitical marriage laws, which seem to be thoughtfully framed; but then we should be obliged to

⁴ Comp. Lev. XVIII. 14; XX. 20.

⁵ The so-called *נשואין*; comp. Deut. XXV. 10; Ruth IV.

⁶ Comp. *Lewysohn*, Klänge aus dem

Morgenlande, p. 5.

⁷ Lev. XVIII. 18.

⁸ *Ibid.* *וְאִתּוֹתָּהּ בְּחַיֶּיהָ לְבַגְדָּהּ לְבַגְדָּהּ*.

⁹ See notes on XVIII. 18.

regard a few words of the text as an interpolation¹, so that the command would run thus: "Thou shalt not take a wife to her sister, to uncover her nakedness"; and we appeal to everyone familiar with the Hebrew idiom whether the term "in her lifetime" (בְּיָמֶיהָ), which chiefly causes the difficulty, does not read like an addition hardly standing in its right place. In the Koran the corresponding command is simply, "You are also forbidden to take to wife two sisters"². In comparatively early times marriages with the deceased wife's sister were not only deemed unobjectionable, but most commendable, since it was believed that a sister would treat her sister's children with greater care and affection than could be expected from a stranger³; and when this view gained ground, the word בְּיָמֶיהָ might have been added to effect the desired change in the sense of the command. It need not be remarked that this suggestion is no more than a conjecture; but if the received reading is considered authentic, unity of principle and harmony of detail are destroyed in the levitical lists of forbidden degrees. It is impossible to accede to the rule that, "whereas the wife becomes incorporated into the family of the husband, the husband is not incorporated into the family of the wife; his relations become her relations, but her relations do not become his relations"⁴. This may be true from the social and civil, but it is not true from the ethical and religious points of view, and it is the latter which mainly underlie the levitical laws of matrimony. Therefore, to sum up, those who cling to the literal accuracy of the traditional text are free to permit the marriage with the deceased wife's sister, but in doing so they disregard the leading ideas of the Hebrew laws of matrimony, and sanction an alliance which, according to their spirit, the legislator unquestionably considered as objectionable and unlawful.

We believe that the table of prohibited degrees, which was prepared in the reign of Queen Elizabeth (in 1563), and which since then has been acted upon in the Anglican Church, fully harmonises with the levitical precepts. It interdicts thirty alliances to men, and the same number to women, some of which are expressly for-

¹ Viz. the words בְּיָמֶיהָ, perhaps also לְבָרָא.

² Koran IV. 27.

³ Comp. also *Mishn. Yevam. IV. 13; X. 4.*

⁴ *M'Caul, The ancient Interpreta-*

tion of Lev. XVIII. 18 etc. pp. 36—38; comp. also Baumgarten, Theolog. Comment. p. 204, "im Alten Testament ist das Weib noch nicht zu der gleichen Persönlichkeit mit dem Manne gekommen."

bidden in the Law, while others are deduced from them by analogy⁵. Exactly the same conclusions were arrived at by Melancthon⁶, and by the learned Johannes Gerhard, whose sound arguments and lucid deductions almost exhaust the subject⁷. However, Luther was of opinion that those prohibitions only are binding which are expressly set forth in the Bible⁸, and his authority could not fail to have a strong effect upon Protestant Churches. Thus Frederick the Great, at the beginning of his reign (1740), permitted marriage in ten cases which had till then been forbidden because they seemed to be proscribed by the spirit of the Law⁹. Some Protestant theologians not only supported this decree by historic and philosophical arguments, but went farther in the same direction. Joh. Dav. Michaelis, reducing the laws of marriage, as he reduced nearly all Biblical laws, to the level of social and political expediency, contended that there was not a single marriage which, if once concluded, needed be dissolved as being incestuous. For instance, if a man had married his sister or his daughter, all that was required was to keep the matter secret; and holding of no account the *respectus parentelæ*, as he disavowed the horror and *pudor naturalis*, he believed that "a Christian ruler would not sin" in permitting, by special license, such alliances as those with the father's and mother's sister¹⁰. These principles were indeed not adopted in modern legislations, but they exercised no mean influence upon some of them; and in the Prussian code the following three categories only are prohibited:—(1.) Marriages between blood-relations in ascending and descending line; (2.) Marriages between brothers and sisters, or half-brothers and half-sisters, whether born in wedlock or not; and (3.) Marriages between step-parents and step-children, and between father or mother-in-law and son or daughter-in-law¹¹. Alliances with the aunt and the uncle, the deceased wife's sister, and with the brother's widow, are not interdicted.

With the exceptions referred to, the choice of the Hebrews was unrestricted. No one was obliged to marry within his own tribe or

⁵ Compare *Richard Burn*, *Ecclesiastical Law*, ed. Tyrwhitt, II. 438—450.

⁶ *De Conjugio*, 1551.

⁷ *Loci theologici*, *Locus XXVI*; §§ 239 *sqq.* *De Gradibus prohibitis*.

⁸ *Vom ehelichen Leben*, 1522.

⁹ *Viz.* with the deceased wife's sister; with the brother's daughter and the sister's daughter; with the

widow of the mother's brother, with the widow of the brother's and the sister's son; with the half-brother's widow; with the father's and the mother's step-sister; and with the widow of the father's half-brother. See notes on XVIII. 1—5.

¹⁰ *Michaelis*, *Von den Ehegesetzen Moses*, §§ 91—104.

¹¹ *Preuss. Landr.*, Th. II. Tit. I. § 3.

class¹, not even the priests and the High-priest; only women who, because they had no brothers, came into possession of the paternal fields, were bound to marry from their own tribe, lest its territorial extent be impaired². In some points, however, the sacerdotal order was subjected to greater strictness: all its members were forbidden to marry divorced or dishonourable women; and the High-priest was, moreover, to take no widow, but a Hebrew virgin, "lest he profaned his seed among his people"³.

Other legislations were, in many respects, much more burdensome. The Hindoo law prescribed that a regenerated man must refrain from marrying a woman who, from the father's or the mother's side, is related to him in the sixth degree, or whose family name in any way seems to bespeak kinship with his own family⁴. Talmudists extended the Biblical prohibitions to the ascending and descending lines of whatever degree⁵, though the practical effect was very slight on account of the great disparity of years between the parties. For instance, as the mother is forbidden, so is the grandmother and great-grandmother; as the step-mother, so the grandfather's wife; as the daughter-in-law, so the grandson's wife; as the granddaughter, so the son's or the daughter's granddaughter⁶. The same rules were laid down by the Canonical decrees, and also by the Roman law, which was framed upon the principle that "matrimony is not allowed between persons who occupy the mutual position of parents and children"⁷. The Biblical prohibitions were, moreover, applied to additional degrees in lateral lines: as the father's and the mother's

¹ It was different among other ancient nations: "Men of the regenerated classes are recommended to take as their first wives from their own class; and those who are inclined to marry again, must give the preference to women of their own or to the next lower class" (*Manu* III. 13); "A Brahmin who marries a Sudra woman as his first wife, sinks into the sphere of agony, and if he begets a child with her, he loses his rank as priest, . . . for he commits a crime which the laws declare to be beyond the possibility of atonement" (cc. 17, 19); comp. in general, *Manu* III. 5 sqq.; XI. 171, 176; *Yājñav.* I. 56, 57; *Diod. Sic.* I. 73, 74.

² Comp. Num. XXVII. XXXVI.

³ See Lev. XXI. 7, 13, 14 and notes *in loc.*; comp. Ezek. XLIV. 22; Comm. on Lev. I. pp. 563, 576.

⁴ *Manu* III. 5.

⁵ They were called נְזִירִים secondary or subordinate, viz. לְזָרִים; comp. *Mishn.* Yevam. II. 4, Part III. fol. 3^a ed. Krotoah. (ואילן קן הנזירית אם אביר נזיר); *Maimon.* Hilch. Ishuth I. 6.

⁶ Comp. *Talm.* Yevam. 21, 22^a; *Talm. Jer.* Yevam. II. 4, Part III. fol. 3^a ed. Krotoah. (ואילן קן הנזירית אם אביר נזיר); *Maimon.* Hilch. Ishuth I. 6.

⁷ Qui parentum liberorumve locum inter se obtinent; see *Gaji Instit.* ed. Göschen et Lachm., Bonn 1841, pp. 15 sqq. (lib. I §§ 58—67; Digest. lib. XXIII. tit. 2, de ritu nuptiarum).

sister are forbidden, so are the grandfather's and the grandmother's sisters.

Persons of very remote affinity, or even of no actual affinity whatever, were not allowed to intermarry for various extraneous reasons. According to the Talmud of Jerusalem and the Roman law, a man may not marry the widow of his step-son, nor the step-mother of his deceased wife, for in the former case the widow must respect her husband's step-father like her own father, and in the latter, the widower must look upon his wife's step-mother as upon his own mother. Some, as the Karaites⁸, even proscribed the marriage between persons who are step-brothers and step-sisters from both sides⁹, and who can, therefore, in no sense be called blood-relations¹⁰. The Mohammedans extended the interdiction to foster-mothers and foster-sisters¹¹.

Marriages between cousins were deemed objectionable by the Karaites, who were most scrupulous in the application of the Biblical principles¹²; by the Hindoos, who held that "a cousin is almost like a sister"¹³; and by the early Romans, who, in conformity with their strict family organisation, regarded the children of brothers and sisters as growing up under the authority of the same grandfather, and therefore occupying, in some manner, the relative position of brothers and sisters; and though such marriages were from the time of the second Punic war not unfrequently contracted, and that without reproach¹⁴, they were prohibited by Theodosius under the threat of death by fire, and disapproved by St. Augustine¹⁵, who observed that though not unlawful in themselves, they were condemned by custom, because they bordered closely upon the unlawful, and cousins were almost like brothers and sisters¹⁶; yet Theodosius' son Arcadius repealed his father's interdict, and Justinian adhered to this more lenient view. In the Byzantine Church, the Trullian Council (680) forbade such marriages under ecclesiastical penalties extending over

⁸ See Grätz, Geschichte, V. 202.

⁹ That is, between the children of a widow and of a widower who enter into matrimony.

¹⁰ Justinian, however, expressly permitted such alliances.

¹¹ Comp. *Koran* IV. 27.

¹² Comp. Grätz, Geschichte, V. 241, 244, 504.

¹³ *Manu* XI. 172, 173.

¹⁴ *Tacit.* XII. 6, *sobrinarum conjugia diu ignorata tempore addito percrebuisse*; *Plut.* *Quaest. Rom.* 6.

¹⁵ *De Civit. Dei* XV. 16.

¹⁶ *Verum tamen factum etiam licitum propter vicinitatem horrebatur illiciti, . . . et pene germani sunt (sc. consobrini).* They are shunned by some savage tribes of Africa, as the Fertyt, south of Wadai and Darfur; see *Thiersch* l. c. p. 145.

seven years. The early Protestants condemned them with equal severity; but the Anglican Church, which disregarded both the Roman and Canonical law, and was mainly guided by the Scriptures and by national custom, interposed no obstacles to marriages between cousins, which are countenanced by the Biblical precedents of Isaac and Rebekah, and of Jacob and Leah and Rachel¹. The Eastern fathers, under the Isaurian emperors Leo and Constantinus, interdicted alliances even between the grandchildren of brothers and sisters, whom they counted as standing in the sixth degree of relationship. The next or seventh degree was not long afterwards also forbidden², but the eighth was declared lawful. True to this rule, the Greek Church still considers marriages between lateral relations within seven degrees ungodly³. No less stringent was the Greek Church with respect to affinity (ἀγγιστία). Not satisfied with the old Latin "affinity of the first class"⁴, according to which either party has to regard the blood-relations of the other as his or her own blood-relations, that Church extended the same rigorous principle to the "affinity of the second class," or the relations by marriage. For instance, as a man is forbidden to marry his wife's sister, so also is his brother; a woman is forbidden to marry the brother of her sister-in-law; and finally, the Trullian Council pronounced the broad principle, that two families which have once intermarried must not intermarry again down to the sixth degree. These restrictions, for which neither the Biblical nor the Roman law affords any foundation, were adopted chiefly to prevent "confusion" (σύγχυσις) in the degrees of relationship. For instance, if two brothers marry two sisters who are their cousins, they become at the same time brothers-in-law; and their children would be cousins on their father's side, and second cousins on their mother's side⁵.

The Roman Church passed even beyond these boundaries with regard to consanguinity; for, adopting the old Teutonic computation of kinship, according to which brothers and sisters form the first degree, cousins the second, and so on, it interdicted marriages within

¹ The same practice prevails among the Arabs of Egypt and other countries (*Lanc. Mod. Egypt.* I, 209).

² By Sisinnius and Caerularius, patriarchs of Constantinople, about 1000.

³ Comp. *Zhishmann*, *Eherecht der oriental. Kirche*, Wien 1864.

⁴ *Affinitas primi generis*.

⁵ For similar reasons were forbidden the marriages between two sisters and two cousins, of uncle and nephew with two sisters, of two brothers with niece and aunt, etc.; compare *Zhishmann* l. c. pp. 243 sqq., 319 sqq.

seven such parallel generations; it thus extended the prohibitions at least as far again as the Greek Church, and, in fact, annulled all alliances between persons of common descent, however remote their consanguinity⁶. But this excessive rigour could not long be maintained; it rendered marriage to royal personages and to people in small towns all but impossible; unions were entered into with an uneasy conscience, and were fraught with fatal results for their offspring, or they were forcibly and abruptly dissolved. Therefore, the Popes Gregory the Great and Gregory II. deemed it expedient to grant more lenient statutes to the converted Angles and Anglo-Saxons⁷, and to limit the prohibition to four degrees; the same principle was, under Innocence III., confirmed in behalf of the western Church in general⁸, which was thus placed nearly on the same footing as the Greek Church⁹. But even these barriers, far extending beyond those set down in the Scriptures, were found oppressive; for not even the great-grand-children of two brothers or two sisters, being related in the fourth degree, were allowed to marry one another. Therefore *dispensations* became often necessary. They were at first merely designed to secure equity in cases when the meaning of the law would have been perverted, and cruel wrong inflicted by an unbending adherence to the letter. But they soon degenerated into a most flagrant abuse; they were often claimed and granted, in defiance of the Biblical precepts, from selfish or sordid motives. The Popes believed that they were invested with "plenitude of power" to sus-

⁶ Comp. Decretum Gratiani, P. II, causa 35, Nulli Christiano liceat de propria consanguinitate seu cognatione uxorem accipere, usque dum generatio recordatur, cognoscitur aut in memoria retinetur; comp. *Thiersch* l. c. p. 82. In India, a Brahman may not marry a wife whose clan-name or *gotra* is the same as his own, whereby marriage among relatives is prohibited in the male line indefinitely; the same is the law of China; among the Tartars in Asia and Europe, among the Lapps and Samoieds, intermarriage in the same family or tribe is deemed impious, and the people in Sumatra "punish such delinquents after their ordinary manner by cutting them up alive, and

eating them grilled or raw with salt and red pepper"; and analogous laws prevail among other barbarous races; see *E. P. Tylor*, *Researches into the early History of Mankind*, pp. 277—284.

⁷ In 601 and 726.

⁸ In 1215, in the fourth Lateran Council.

⁹ The *fourth* degree was adopted as a limit, because there are four elements in the human body, comp. *Thom. Aquin.* Suppl. *tertiæ partis summae* quæst. 54 art. 4: in prima commixtione evanescit sanguinis identitas quantum ad primum elementum, quod est subtilissimum; in secunda ad secundum; etc.

pend, not only the old Canons, but even the Scriptural ordinances, and in favour of certain persons to sanction acts illicit in themselves. They advanced on this dangerous path cautiously, and step by step. At first they gave dispensations when objectionable marriages had been entered into "from ignorance of the fact" of mutual relationship, or "from ignorance of the law." But in the course of time, they authorised such marriages even before they were concluded. Again, at first they acted so only for the promotion and in the interest of the public weal and of peace between rival princes; but ere long, they sold their dispensations and turned them into a most lucrative traffic. There were hardly any obstacles to the rich. Marriages were allowed between uncle and niece,¹ and between aunt and nephew,² or between brother-in-law and sister-in-law,³ till at last the Roman Cardinal Cajetan, the famous contemporary of Luther, boldly promulgated the principle, that "the Pope may give dispensation of marriage with all relatives, except only with father and mother," since these alone are moral offences, while the rest are merely judicial prohibitions.⁴ These and similar excesses, giving rise to the reproach that in Rome everything could be purchased with money, accelerated, if they did not call forth, the great schism of the Church. The Council of Trent anxious to avert still greater dangers, adopted indeed more prudent and more judicious views: with respect to marriages already concluded, dispensation was rendered more difficult; and as regards intended alliances, it was only to be granted in rare and urgent cases, and always gratuitously. Yet exceptions were permitted "in favour of illustrious rulers, and from considerations of national safety;" they were allowed "in the second degree," which includes not only cousins, but also uncle and niece, and nephew and aunt, although marriage between the two last named relatives is plainly interdicted in the levitical law; in fact, the Council threatened with anathema anyone who dared to deny the power of the Church to sanction alliances prohibited in the Bible. Thus, in the question of dispensations, no practical progress was made by the Synod of Trent; and since then the principles of

¹ The Archduke Charles married his sister's daughter, by whom he became the father of Ferdinand II.

² Ferdinand the younger, king of Naples, married his father's sister Ioan, by permission of Pope Alexander VI.

³ Henry VIII and Catherin of Aragon; see notes on XVIII. 16.

⁴ Potest papa dispensare cum omnibus personis conjunctis, nisi cum matre et patre, ut matrimonium contrahant; *Cajetanus*, Thom. Aquin. *secunda secundae cum comment.* Lugd. 1558, p. 537.

Cajetan have virtually prevailed among Catholic theologians⁵. Neither the Romans, nor the Jews, nor the Greek Christians, nor the old Protestants ever granted dispensations⁶: not even the Emperor Claudius, though living in a most depraved age, was able to obtain exemption from the laws which were binding upon all (see *supra* p. 361).

It is well known that the Roman laws of marriage were based upon two principles—natural decorum (*pudor naturalis*)⁷ and respect of parental dignity (*respectus parentelæ*). The latter principle invalidated marriages between persons connected by adoption or by guardianship (*tutela*); for in both cases such persons were regarded as standing in the relationship of parent and child. Marriage was unlawful even after the adoption had been dissolved by emancipation, though in the latter contingency the union with an adoptive sister was permitted; and not only was the guardian himself forbidden to marry his ward, but he was restrained from marrying her to his son or grand-son, unless she had been betrothed to the one or the other by the deceased father, or had been assigned to him by testament.⁸

From the sixth century, a new obstacle of a peculiar nature, entirely unknown in the early Christian Church, became very prominent, and gradually assumed most serious proportions, namely, "the spiritual kinship" (*cognatio spiritualis*). Such a relation, idealising the Roman adoption, but questionably confounding the spheres of nature and religion, was, in the first instance, supposed to exist between a godfather and his goddaughter, for the former was considered as the spiritual parent of the latter, and was held responsible for her religious education; or, as Justinian explained it, "Nothing is so much calculated to create a truly paternal affection and, therefore, a valid obstacle to matrimony, than that bond by which, under

⁵ Comp. *Kopp*, Kathol. Eherecht, I. 250, "Von den Moraltheologen und Kirchenrechtslehrern wird einstimmig nur das Eheverbot zwischen Ascendenten und Descendenten im ersten Grade als *in jure naturali* und *in jure divino* begründet und daher absolut indispensabel gehalten".

⁶ Comp. *Aem. L. Richter*, Evangelische Kirchenordnungen des 16ten Jahrhunderts, Weimar 1846, I. 125, "und was bisher mit Dispensiren und am Geld erlangt worden ist, soll alles

aus sein und nicht mehr irren"; *Zhishmann* l. c. pp. 713—715.

⁷ "Semper in conjunctionibus non solum quid liceat considerandum est, sed et quid honestum sit"; Digest.

⁸ It is probable that this law, besides being prompted by *respectus parentelæ*, was designed to protect the liberty and the fortune of the ward. Comp. *De Gradibus Cognationum expositio* (fortasse Ulpiani), in *Huschke*, Jurisprud. Antejustin. pp. 511—517.

Divine mediation, the souls of the two are united"¹. Therefore, the sponsor being regarded as the "second father" (compater) of the child, he was also forbidden to marry the mother of the latter if she became a widow²; yet some, as Boniface, deemed such a marriage unobjectionable, declaring that else no Christian man would be permitted to marry a Christian woman, since baptism engendered religious relationship between all the members of the community. The Greek Church went in the matter to an extraordinary length; spiritual affinity was by the Trullian Council pronounced to be more important than physical relationship; and the Synod held under the patriarch Nicolaus III.³ declared that it precluded marriage within seven degrees, exactly like consanguinity: and this decision has ever since been adhered to. The Roman Church not only adopted the same strict rules of spiritual relationship, but extended them to the "confirmation sponsors," who are unknown in the Greek Church. The consistent application of these principles led to the preposterous conclusion that if either of the parents assists at the baptism or the confirmation of his or her own child, a spiritual relation is created with the other parent which prevents the continuance of the union⁴! However, the Council of Trent ordered that spiritual relationship existed only between the godfather and the officiating priest on the one hand, and the child and the parents on the other; and that it does not extend to the sponsor's children, so that "spiritual brothers" and "sisters" were no longer acknowledged. It is remarkable that, in some countries, the early Protestants, clinging to the old "imperial law"⁵, and recognising the Roman principle of *respectus parentelæ*, counted adoption, guardianship, and sponsorship among the obstacles of marriage⁶.

If, after this survey of later additions and expansions, we glance once more at the Biblical ordinances, it will be admitted that they appear thoughtful in principle and little burdensome in detail. This is not the place to examine, how far they coincide with reason and the laws of nature, and whether just these are indispensable to secure a healthful offspring and a pure intercourse between

¹ Cod. Just. lib. V, tit. 4, § 26.

² Concil. Trull. can. 53.

³ A. C. 1084—1111.

⁴ In this manner it is said that Chilperich, the king of the Franks, divorced his wife Andovera, who, induced by the wicked Fredegunde,

had held her own son over the baptismal font.

⁵ That is, the Corpus juris civilis and the law of the Pentateuch.

⁶ This was, f. i., the law of Würtemberg according to the statutes of 1553; see *Richler* l. c. II. 130.

near relations⁷. "Natural abhorrence" and "natural decorum" are fluctuating sentiments. Caution in pronouncing judgment on these points is imposed by the fact that, with the exception of father and mother, there is not a single degree of consanguinity and of affinity which, with respect to matrimony, more or less civilised nations have not held unobjectionable⁸. It is difficult to draw the line of demarcation: is the "oneness of flesh" to end with the cousin or to include him; is it to end with the niece or to include her? Different religious sects in the same country have answered these questions differently. The matter rests essentially on legal and social conventionality.

We will now briefly refer to some other points connected with the matrimonial laws and customs.

It would be idle to deny that polygamy, supposed to be a physical necessity in the East⁹, was lawful among the Hebrews. It even formed the basis of some of the ordinances of the Pentateuch, such as the institution of the levirat, which required that a surviving brother, though married, should take his brother's widow; or the law of inheritance in cases when "a man had two wives, one beloved, and another hated, and both had born to him children"¹⁰. But it must be admitted that, even in the Biblical times, the Hebrews showed a growing tendency towards monogamy, which, as a matter of fact, prevailed in later times¹¹; till an authoritative decree issued in the eleventh Christian century made it compulsory under the threat of excom-

⁷ Comp. *Maim. Mor. Nev.* III. 49 ("those relations being constantly together with the man in the same house, they will yield easily to his desires, etc."); *Thom. Aquin.* Secunda secundae quaest. 154 art. 9, quia personas sanguine junctas necesse est invicem conversari, sicque continuo habere occasionem luxuriae nimisque emollescerent; *Michael. Mos. B.* § 108; *Ehegesetze Mosis* § 52; a. o.

⁸ Comp. *Hugo Grotius*, *De Jure Belli et Pacis*, lib. II. cap. V, sect. 13; *Michaelis*, *Ehegesetze Mosis*, §§ 91 sqq.

⁹ Comp. *Montesquieu*, *Esprit des Lois*, XVI. 2—7.

¹⁰ *Deut.* XXI. 15—17; XXV. 5—10. The command that a man must not

have two sisters as wives at the same time (*Lev.* XVIII. 18) implies that he may have two wives who are not sisters; comp. also *Exod.* XXI. 10; *Judg.* VIII. 39 (Gideon); *X.* 4 (Jair); *XII.* 9 (Ibzan), 14 (Abdon); *1 Sam.* I. 2 (Elkanah); *XXV.* 42, 43 (David); *1 Ki.* XI. 3 (Solomon); *2 Chr.* XXIV. 3 (Jehoiada); etc. etc.

¹¹ Comp., however, *Talm. Succ.* 27^a (*אין אדם יכול להינשא שתי נשים*); *Kethuv.* 80^b; *Kiddush.* 50^b; *Yevam.* 65^a, כל הנשא אדם כמות נשים, על אחת יחי' נשא אדם כמות נשים, לאשר יחי' *Even HaEzer* § 1. 9 ("the Jewish sages judiciously advised that a man should not take more than four wives, so that he might be able to give to each her conjugal right once a month").

munication, and has since been adopted by all western Jews¹. Nor did concubinage, which in earlier periods was certainly not unusual among the Hebrews², assume a character dangerous to public morality; for it never supplanted matrimony, and in the course of time disappeared completely; its status is not fixed in the Law, but it does not seem to have been degrading or oppressive; the offspring of concubines enjoyed the rights of legitimate children, and shared their father's inheritance; thus the sons of Bilhah and Zilpah were in every respect treated as the equals of the sons of Leah and Rachel, and were considered as founders of Hebrew tribes³. A primitive custom of associating with the wife's "maid-servant"⁴, and of treating the children of the latter as if born by the former⁵, fell soon into disuse⁶.

To secure his wife, the man, besides giving presents (קֶדָּוּת) to herself and her relatives, was obliged to pay a "price" (מֶדֶט) to her parents in proportion to his means⁷, or he paid them by his services, as

¹ See Comm. on Exod. p. 370; comp. *Selden*, De Jure Nat. et Gent. lib. V. c. 6, pp. 561—567. However, instances of legal bigamy occurred in Castile even in the fourteenth century (comp. *Rabb. Nissim*, מִשְׁפָּט יִשְׂרָאֵל: מִשְׁפָּט הַיָּמִין, *Frankel*, Monatsschrift, 1865, pp. 390, 391). In the East, Jews still have occasionally two wives; some congregations, especially of the Sefardim, permit bigamy in two cases — if the first wife is childless, or if she bears only girls. Many communities, however, adhere to the decree of Rabbi Gershom. Comp. *Niebuhr*, Reise nach Arabien, p. 76; *Lewysohn*, Klänge aus dem Morgenl. pp. 5, 35. Among the Falashas in Abyssinia bigamy is not legally forbidden, but it is looked upon as reproachful. The Jews in China acknowledge only one lawful wife, though they often have other wives of an inferior rank, whose children are not considered legitimate (comp. *Frankel*, l. c. 1858, p. 464; 1864, p. 276; 1868, p. 408). "Polygamy" observes Niebuhr, "is not so general in the eastern countries as Europeans usually suppose" (l. c.

pp. 73, 74). — "Polygamy is, at least at present, not the rule among the Parsees"; if the first wife has no children, the husband may take another wife, yet not without the consent of the former (*Spiegel*, Avesta, II. p. xxxi). For fuller explanations we refer to our Commentary on Genes. p. 375; on Exod. p. 370; on Levit. I. 576.

² Gen. XXII. 24; XXV. 6; XXXV. 22; Judg. VIII. 31; IX. 18; XIX. 1 sqq.; 2 Sam. XV. 16; XVI. 21, 22; XX. 3; 1 Ki. XI. 3; 1 Chr. I. 32; II. 46, 48; 2 Chr. XI. 27; etc. Concubines (עַמְּזָבִּי) are occasionally called עַמְּזָבִּי: wives, Gen. XXV. 1 (comp. 1 Chr. I. 32); XXXVII. 2.

³ *Talm. Jerus. Kethuv. V. 2* (Part III. fol. 29^b); *Talm. Sanh. 19^b*; *Maimon. De Regib. IV. 4*; *Selden*, De Jure Nat. et Gent. pp. 570 sqq.

⁴ מַאֲדָּה or מַאֲדָּה.

⁵ Gen. XVI. 2; XXX. 3, 4, 9.

⁶ Comp. Comm. on Gen. pp. 375, 376.

⁷ Comp. Gen. XXIV. 53 (מַדְּטָה); XXXIV. 12. The legal sum seems to have been fifty shekels (comp. Deut. XXII. 29).

Jacob did to Laban, Othniel to Caleb, and David to Saul⁸. However, among other nations, as the Parsees and Arabs, it is not deemed proper for the bride to enter her husband's house emptyhanded, and the amount of the dowry of virgins and widows has been fixed by custom⁹; in conformity with this usage, Jewish brides also were, in later times, furnished with a dowry or "gift"¹⁰.

A betrothal generally preceded the marriage¹¹, and the betrothed woman was regarded exactly as if she were married, faithlessness on her part being punished with death¹². In later periods, betrothals were concluded in three different ways — "by money, by contract (קנין), and by connection" (קנין); though the latter mode was looked upon as indecent¹³. The bride met her bridegroom closely veiled. The wedding was accompanied by festivities usually extending over seven days¹⁴. At present, the marriage ceremony (קידושין)¹⁵ is, as a rule, performed by a minister or by any competent Israelite, in the presence of at least ten men, and is thereby stamped as a public transaction¹⁶; several benedictions are recited, and the bridegroom puts a golden ring on the finger of the bride with the words, "Thou shalt be consecrated (קדושה) to me according to the law of Moses and Israel". These simple acts are usually accompanied by symbolical rites, though in this respect the customs vary¹⁷.

Matrimony was looked upon not only as the normal condition of both men and women¹⁸, but as a religious duty¹⁹; and it was

⁸ Gen. XXIX. 18, 27, 30; Josh. XV. 16; 1 Sam. XVIII. 25; see Comm. on Gen. pp. 469, 529; on Exod. p. 425.

⁹ Comp. *Spiegel*, *Avesta*, II. p. xxx.; *Lane*, *Mod. Egypt*, I. 211, "the giving of a dowry is indispensable".

¹⁰ קדושין, which term occurs already in Ezekiel XVI. 33, where it means a present given to a courtesan. Comp. also Job XV. 19; Judg. I. 15.

¹¹ In later times, twelve months generally intervened between betrothal and marriage, if the bride was a virgin; thirty days, if she was a widow (*Talm. Kethuv.* 57).

¹² Comp. Gen. XXXVIII. 24; Deut. XXII. 28 sqq.; see Comm. on Exod. p. 422.

¹³ *Talm. Kiddush.* 12^b; *Maimon. Isure Biah* XXI. 14; *Even Ha'ezer* 26,

4, וְהָיָה כִּי יִשְׁתַּחֲוֶה לְאִשְׁתּוֹ בְּבֵיתוֹ וְלֹא יִשְׁתַּחֲוֶה לָהּ בְּבֵיתוֹ.

¹⁴ Gen. XXIX. 22—28; Judg. XIV. 10, 12, 17.

¹⁵ Either meaning the introduction of the bride into the house or under the roof of her husband; or the retirement of the couple into the bridal chamber (*Isai*. IV. 5; *Joel* II. 16; *Ps.* XIX. 6); *Talm. Kethuv.* 7. and B. Nissim in loc.; *Maim. Ish.* X. 1; etc.

¹⁶ Comp. *Ruth* IV. 2; *Maim. Mor. Nev.* III. 49, "there is only one way of securing lawful intercourse, and that is, to take one wife, and to marry her publicly."

¹⁷ Comp. *Talm. Kiddush.* 5, 6, 13.

¹⁸ Comp. *Talm. Yevam.* 63^a, וְהָיָה כִּי יִשְׁתַּחֲוֶה לְאִשְׁתּוֹ בְּבֵיתוֹ וְלֹא יִשְׁתַּחֲוֶה לָהּ בְּבֵיתוֹ.

¹⁹ It is by the Rabbins counted as the first of the 613 commands of

encouraged by a strong desire of offspring, since Orientals, it need not be remarked, regard the extinction of their family as the direst curse¹. Barrenness was, for long periods, looked upon not only as a misfortune, but as a disgrace, and childless men and women were not pitied but despised, because they were held to have deserved the displeasure of God; it was only very gradually that more rational views prevailed, and that wise teachers succeeded in diffusing the doctrine, that children are granted and withheld by God for His own inscrutable reasons and purposes². With such notions rooted in the public mind, celibacy could not spread among the Hebrews; and though it was, in later times, advocated by some teachers, as Christ and St. Paul, and adopted by some sects, as the Essenes, as being more conducive to "attending upon the Lord without distraction"³, these sects themselves soon vanished, and with them their

the Pentateuch, and is derived from Gen. I. 28 (וְרָבָה); a man having begotten one boy and one girl is deemed to have fulfilled the law, though his duty does not cease as long as he remains in vigour; the injunction, however, is not obligatory on women; compare *Mishn. Yevam.* VI. 6, הָאִשָּׁה שֶׁנִּשְׁתְּתָה לְאִישׁ וְלֹא הָיְתָה לָהּ בְּרִיָּה וְרִבְיָה אֵלּוּ לֹא הִשְׁתַּמְּתָה; *Talm. Yevam.* 61^b, 63^b, כָּל הַיָּדֵיד שֶׁנָּשָׂא סֶטֶם בְּיָדָהּ וְרִבְיָה, כָּל הַיָּדֵיד שֶׁנָּשָׂא סֶטֶם בְּיָדָהּ וְרִבְיָה; *Even Ha'ez.* § 1. 1; *Heilpern, Mitsv. Hash.* p. 1. "To abstain from marrying when a man has attained a sufficient age, and when there is no impediment, is esteemed by the Egyptians improper, and even disreputable" (*Lane, Mod. Eg.* I. 207).

¹ Talmudical laws forbid men to marry women known or likely to be barren (*Talm. Yevam.* 64; comp. *Maim. Issur. Biah* XXI. 26). The Romans married professedly "liberorum quaerendorum causâ", and considered a numerous progeny as meritorious, and deserving of praise and reward (comp. *Gaj. Inst.* I. 29; *Cell.* IV. iii, 2, jurare a censoribus coactus erat, uxorem se liberum quaerendum gratia habiturum; *Plat. Sympos.* c. XVI. p. 192^a, πρὸς γάμους καὶ παιδοποιήσας... ὑπὸ τοῦ νόμου ἀναγκάζονται;

Arist. Pol. II. 9; *Val. Max.* II. ix. 1, natura vobis quemadmodum nascendi, ita gignendi legem scribit; etc.). Plato, as is well known, went so far as to advocate community of wives and children, because he deemed procreation of offspring the first duty which the citizen owes to the state (comp. *Plato, Respubl.* V. 7 sqq.; *Arist. Pol.* II. 4; whereas Aristotle believed that overpopulation ought to be guarded against, if necessary, by efficient laws (*Aristot. Polit.* VII. 14); comp. *Selden, De Jure Nat. et Gent.* lib. V. cap. III., pp. 545—549. The Persians deem even matchmaking highly creditable (*Vendid.* XIV.; comp. *Spiegel, Avesta*, II. p. xxvi.); and so do the modern Jews.

² Comp. 1 Sam. I. 5, 8; 2 Sam. III. 14; VI. 23; etc.; see Comm. on Genes. pp. 374, 375.

³ Matth. XIX. 10—12 ("there are eunuchs who have made themselves eunuchs for the kingdom of heaven's sake: he that is able to receive it, let him receive it"); 1 Cor. VII. 1 ("it is good for a man not to touch a woman"), 7 ("I would that all men were even as myself"), 8, 27 ("art thou loosed from a wife? seek not a

unpopular principles; and Talmudical authorities declared that "he who has no wife, lives without comfort, without help, without joy, without blessing, and without atonement"⁴.

We have no statement as to the age at which girls and young men usually married in the Biblical times; but it may be assumed that, as a rule, it nearly coincided with that of puberty⁵, which Jewish tradition fixed at twelve years and one day for girls, and thirteen years and one day for young men⁶. The Mishnah recommended men to marry at eighteen; Talmudical doctors considered twenty years the latest term, except for eager students of the Law, afraid of being disturbed by household duties and cares; and Eastern Jews still adhere to these rules⁷. The Rabbins distinctly forbade parents and guardians to marry or even to betrothe their daughters and wards during their minority⁸; yet in the middle ages, the latter injunction was frequently disregarded by parents anxious to secure protectors for their young daughters during the constant persecutions of the Jews⁹. In Egypt and some parts of Arabia, marriages are occasionally concluded with girls nine or ten years old; mothers at thirteen or fourteen are not rare; and few remain unmarried after sixteen years of age¹⁰. In India and Persia, girls are mostly betrothed at nine years, and married between thirteen and fifteen¹¹. The

wife"), 28, 33—35 ("he that is unmarried cares for the things that belong to the Lord; but he that is married cares for the things that are of the world, how he may please his wife"), 37, 38; *Joseph. Ant.* XVIII. 1. 5, the Essenes did not marry because they believed that matrimony "gives rise to domestic quarrels" (στάσις ἐκδοῦναι ποίηται).

⁴ *Midr. Rabb.* Gen. sect. XVII. init. כל האדם לא יאכל בלעדי אשה; comp. *Talm. Yevam.* 62^b; *Talk. Shim.* § 316, fol. 66^b.

⁵ *Comp. Gen.* XXXVIII. 11; *Ruth* I. 13, etc.; see also *Talm. Yevam.* 62; *Kiddush.* 29^b.

⁶ See *Comm. on Levit.* I. 576 note 3; *Talm. Yevam.* 80; *Even Ha'ezzer* § 155; *Mitzv. Hash.* p. 106 rule 14.

⁷ *Comp. Mishn. Avoth* V. 21; *Talm. Kiddush.* 29^b; *Yevam.* 62^b, 63^b; *Sanh.*

76^b; *Even Ha'ezzer* § I. 2, "Every Israelite is bound to take a wife when he is eighteen years old, and the sooner a man marries after his thirteenth year, the greater piety he shows; but no one ought to marry before he is thirteen, for that would be like fornication: on no account should the twentieth year be exceeded, in which case the ecclesiastical authorities should compel the man to marry"; but, adds the glossator, R. Isserels (see p. 39), "the usage of our time is not to compel anyone in this respect".

⁸ *Talm. Kethuv.* 57; *Kiddush.* 41^a, אמרי לאדם שקדש את בתי כהונה קטנה עד שיתקדש בלתי אחרת; comp. *Maim. Ish.* III. 19.

⁹ *Comp. Tosafoth ad Kiddush.* I. c.

¹⁰ *Comp. Niebuhr, Besch.* von Arab. pp. 71, 72; *Lane, Mod. Eg.* I. 208.

¹¹ *Vendid.* XIV. 65; comp. *Spiegel, Avesta*, II. pp. xxx. xxx.

Roman law fixed the ages of twelve and fourteen for girls and young men respectively, as the earliest periods for legally entering into wedlock.

Marriage being regarded as making man and wife one flesh, it was meant to be indissoluble; and its nature is no doubt rightly expressed in the words attributed to Christ, "What God has joined together, let not man put assunder"¹. Thus only could God's eternal covenant with Israel be compared with a matrimonial alliance². In the early history of the Hebrews — as in the earlier annals of the Roman Republic³ — we read of no instance of dismissal, except that Abraham was induced to send away Hagar, his wife's handmaid. However, so abstract a theory could not be upheld in practical life; a concession was to be made to the people's "hardness of heart"⁴; and the Deuteronomist was compelled to give an explicit law of divorce⁵. He granted the right of initiative exclusively to the husband, but he seems to have restricted his power to cases of flagrant infidelity on the part of the wife⁶; and he permitted no one to dismiss a wife whom he had been compelled to marry on account of seduction by violence, or one whom he had defamed by falsely asserting that he had not found her a virgin⁷. Yet, after the Babylonian exile, divorces appear to have become so numerous, that prophets deemed it their duty strongly to oppose the prevailing levity. Thus Malachi declared: "And again you do this, that you cover the Altar of the Lord with tears, with weeping, and with crying. . . . Yet you say, Wherefore? Because the Lord is witness between thee and the wife of thy youth, against whom thou hast dealt treacherously, although she is thy companion, and the wife of thy covenant". And when the people pointed, in excuse, to the example of Abraham, who dismissed Hagar without thereby forfeiting the Divine Spirit⁸, the prophet replied, that the patriarch's position was exceptional, and

¹ Matth. XIX. 6; Mark X. 9; comp. 1 Cor. VI. 16; VII. 11—14, 27.

² See *supra* p. 348, and Comm. on Levit. I. 398; comp. also Eph. V. 31, 32. The Persians look upon it as a compact or Mithra which can never be annulled, nor can a betrothed pair be separated, not even if they are still children (comp. *Spiegel*, *Avesta*, II. pp. xxvi. xxx.) The Council of Trent confirmed the permanency and the sacramental nature of matri-

mony, but the Greek Church abandoned this view.

³ Comp. *Gell.* IV. 3, quingentis fere annis p. R. c. etc.; *Val. Max.* II. ix. 2.

⁴ Matth. XIX. 8; Mark X. 5.

⁵ Deut. XXIV. 1; comp. Jer. III. 1.

⁶ Deut. I. c. *בְּיָמֶיךָ שֶׁיִּהְיֶה רִיב*, where *בְּיָמֶיךָ* seems to be equivalent to *רִיב*; comp. *Nich. Mos. R.* §§ 119, 120.

⁷ Deut. XXII. 19, 22.

⁸ Mal. II. 15, *וְלֹא אֵדַע מִמָּוֶה וְעַד מָוֶה* *וְעַד מָוֶה*.

that he acted as he did because he was seeking the Divinely promised seed⁹; and he continued, "Therefore take heed for your souls, and let none deal treacherously against the wife of his youth; for the Lord, the God of Israel, says, I hate dismissal"¹⁰. The prophet did not repeal the law of divorce enacted by the Deuteronomist, but he protested against the heartlessness which palliated a separation by the most frivolous pretexts, and which Christ, no doubt, had also in view when, in the Sermon on the Mount, he declared, "I say to you that whoever shall put away his wife, saving for the cause of fornication, causes her to commit adultery"¹¹. The Sadducees and earlier Karaites unconditionally condemned divorce¹², and this opinion seems also to be expressed in some passages of the New Testament¹³. But while the Roman Church adhered to the same principles, Protestantism legalised divorce, at first only in extreme cases of faithlessness and desertion, but then for many other reasons, including "unconquerable dislike"¹⁴. The Mohammedan law permits divorce after a warning of four months on the part of the husband, except in cases of unchastity, when he may dismiss his wife instantly¹⁵. Among the Parsees valid reasons for divorcing a wife are: — if she leads a reproachful life; if she conceals from her husband the time of her menstruation; if she practises witchcraft; and if she is barren. In the latter case, the Talmud not only permits but prescribes a divorce, which must take place if the wife bears no child within ten years after marriage¹⁶. However, this Talmudical command has never been enforced¹⁷.

⁹ מִבְּטֵל וְיָרֵד אֶלֶּיָּהּ.

¹⁰ Mal. II. 13—16.

¹¹ Matth. V. 32; XIX. 9; see *supra* p. 118. The same view was taken by Shammai and his school, whereas Hillel and his followers permitted divorce for any cause that might disturb domestic peace. Comp. *Talm. Gittin* 90^b, כֹּל הַטֵּעַ אֶת אִשְׁתּוֹ וְשִׁנְיָהּ אֶת־בֵּיתוֹ מִלִּי דִּמְיוֹ נִזְכָּר מִיָּדוּ עַל־יְדֵי הַדֵּשָׁה.

¹² *Fürst*, *Kärnterthum*, I. 30.

¹³ Mark X. 11, 12, "Whosoever shall put away his wife, and marry another, commits adultery against her; and if a woman shall put away her husband, and be married to another, she commits adultery"; comp. Luke XVI. 18; see *Selden* l. c. pp. 567 *sqq.*

¹⁴ This is one of the sixteen causes fixed by the Prussian law. Some even advocated dissolution of marriage without the statement of any reason, merely by mutual consent (*ex bona gratia*; so *Jörg* and *Tschirner*, *Die Ehe aus dem Gesichtspunkte der Natur, der Moral und der Religion betrachtet*, 1819, pp. 175, 260, 261).

¹⁵ See *Koran* II. 226—233; LXV. 1—6.

¹⁶ *Talm. Yevam.* 64.^a

¹⁷ Comp. *Talm. Gittin* 90; *Falk. Shim. Malach.* § 589, fol. 87^b; *Even Ha'ez.* § 154, 10 (בֵּית דִּין אֶת־נִזְכָּר לִבְטֹחַ לִבְטֹחַ); *Frankel* l. c. pp. XLII—XLVIII. If a non-Jewish couple embrace Judaism, they are not separated, even

A divorced woman was, according to the Law, permitted to marry again; yet, as she had "contaminated" herself by her faithlessness to her first husband, she was on no account to re-marry him, should her second husband divorce her or die; if she did so, she was considered to commit an "abomination", and to cause a sinful defilement of the holy land¹. High-priests and common priests, however, were forbidden to marry divorced women, because they were "holy to their God"²; and later and more rigorous moralists seem to have held marriage with such women altogether objectionable, if not criminal. Christ said, "Whoever shall marry her that is divorced commits adultery"³; and St. Paul, "If the wife depart from her husband, let her remain unmarried, or be reconciled to her husband"⁴. Among the Hindoos, the husband of a woman who had been married before, was excluded from various religious privileges, and though the burning of widows is not mentioned in the laws of Manu, re-marriage on the part of widows was regarded as contemptible⁵. Uncompromising monogamists rejected all second marriages as unbecoming and sinful; Athenagoras, living in the middle of the second century, declared that good Christians either live in celibacy or marry only once, since "a second marriage is a sort of decent adultery"⁶; and similar views were, about the same time, expressed by Theophilus of Antioch and Tertullian. Origen was of opinion that a second marriage disqualified a man for the offices of bishop, dean, and priest, and was sure to cause his exclusion from the kingdom of heaven. The Council of Neo-Caesarea (314) forbade priests to be present at a second marriage, and the Council of Valence (374) formally prohibited the ordination of those who had married twice. St. Basil thought it expedient to punish them with excommunication for one year, and he

if they are so closely related that they fall within the forbidden degrees specified in the Pentateuch, because by baptism they are deemed to be regenerated, and to have renounced all their natural ties (comp. *Talm. Yevam.* 98; *Yor. Deah* § 269): this may be regarded as a Jewish counterpart of the "spiritual relationship" (*supra* p. 371).

¹ Deut. XXIV. 2-4; comp. Jer. III. 1. The Koran permits a woman to re-marry her husband twice unconditionally, but a third time only if,

after the divorce, she had been the wife of another; comp. *Koran* II. 1. c.; *Lane*, *Mod. Egypt*, I. 136, 137, 237-239, and in general pp. 133-140, 207-241.

² Lev. XXI. 7, 14.

³ Matth. V. 32; XIX. 9; Luke XVI. 18.

⁴ 1 Cor. VII. 11.

⁵ *Manu* III. 196; comp. *Comm. on Levit.* I. 335.

⁶ Ὁ γὰρ δεύτερος γάμος εὐπρεπὴς ἐστὶ μοιχεύειν.

characterised third marriages as "beastlike" (κτηνώδη), inhuman, and worse than fornication, and proposed to visit the offenders with excommunication for five years. Almost identical opinions were pronounced by Ambrose, Augustine, and Jerome, by many subsequent Councils⁷, and by later authorities.

A widow was free to marry again any Israelite except a High-priest⁸, though she was in the New Testament declared "more blessed" (μακαριωτέρα) if she remained single⁹. Talmudical doctors enjoined that a woman who had lost two husbands must not marry again¹⁰, though this decision was set aside by later Rabbins¹¹.

A wife was entitled to claim from her husband "her food, her raiment, and her conjugal right"¹²; and she could expect affection and considerate treatment¹³; but as "the weaker vessel", she stood under the "rule", "obedience", or "subjection" of her husband, who was her "head", and whom she was bound to "reverence" and to love¹⁴. According to a Talmudical principle, "the wife rises with her husband, but does not go down with him"¹⁵, that is, she enjoys all the advantages of her husband's station if it be superior to her's, and she retains all the privileges to which she has been accustomed in

⁷ As those of Toledo (400), of Orange (441), of Angers (453), of Agde (506), and of Orleans (541).

⁸ Levit. XXI. 14.

⁹ Rom. VII. 3; 1 Cor. VII. 39, 40; comp. 1 Tim. V. 3, 5, 11, 16.

¹⁰ *Talm. Yevam.* 64^b.

¹¹ Comp. *Maim. Respons.* 146.

¹² Exod. XXI. 10, *וְהָיָה כִּי יִשְׁתָּהּ הָאִישׁ וְהָיָה לוֹ אִשָּׁה*; comp. 1 Cor. VII. 3, *τὸ ἄνδρ' ὡς ἡ κεφαλή*; Gen. XXX. 15, 16. On these three points, especially the last, the Talmud has laid down very precise rules (comp. *Mishn. Kethuv.* V. 6, *וְהָיָה כִּי יִשְׁתָּהּ הָאִישׁ וְהָיָה לוֹ אִשָּׁה*; *Talm. Kethuv.* 61—64, 77^a, 103, etc.). "In Arabia", observes Niebuhr, "men are legally bound to maintain their wives comfortably, and to visit each of them once a week" (*Nieb. Beschreib. von Arab.* p. 74; comp. *Selden, Uxor Hebraica*, lib. III. c. 6; *Nich. Mos. R.* § 118).

¹³ 1 Pet. III. 7, *ἀπονέμοντες τιμὴν*

ὡς καὶ ἐκκληρονόμοι χάριτος ζωῆς; Ephes. V. 25, 28 ("men ought to love their wives as their own bodies"; comp. *Talm. Yevam.* 62^b, *כִּי יִשְׁתָּהּ הָאִישׁ וְהָיָה לוֹ אִשָּׁה*), 33; Col. III. 19; *Talm. Bab. Mets.* 59^a, "Let a man be careful to honour his wife, for all the blessings of his house come only through her". — In the Jewish marriage contract or *ketubah*, the bridegroom promises to his bride: "I shall work for thee, and honour and support thee" (*וְעָמַל לְךָ וְכָבֵד וְשָׁמַר וְשִׁמְרָה*).

¹⁴ Gen. III. 16; 1 Cor. XI. 3; XIV. 34; Ephes. V. 22 ("wives submit yourselves unto your husbands as unto the Lord"), 23 ("the husband is the head of the wife"), 24, 33; Col. III. 18; 1 Tim. II. 11, 12; Tit. II. 5; 1 Pet. III. 1, 5—7; *Maimon. Hilch. Ishuth* c. XV.

¹⁵ *Talm. Jer. Kethuv.* V. 6 (Part III. fol. 30^a); *Talm. Bab. Kethuv.* 48^a, 61^a, *וְהָיָה כִּי יִשְׁתָּהּ הָאִישׁ וְהָיָה לוֹ אִשָּׁה*.

her own family. That Hebrew wives occupied an honoured, if not an independent, position in their households, is evident from the history of the patriarchs¹, of David², and of many other prominent men³. A civil code might hardly be expected to include a law like the following: — "When a man has taken a new wife, he shall not go out to war; nor shall he be charged with any business, but he shall be free at home for one year, that he may cheer his wife whom he has taken"⁴.

It is not too much to contend that, however flagrantly the laws of chastity were violated by the Hebrews in earlier periods⁵, they were, after the promulgation of the levitical code, observed with a scrupulousness that has hardly ever been equalled. In the time of Hadrian's relentless persecutions, the Jewish authorities enjoined upon the people to suffer death rather than to be guilty of "idolatry, incest, or bloodshed"; whereas they deemed the transgression of all the other precepts of the Law excusable if necessary for the preservation of life⁶; and at all subsequent periods the domestic life of the Jews has been recognised as exemplary.

¹ Comp. Gen. XVI. 5, 6; XXI. 10—12; etc.

² 1 Sam. XXV. 18, 19; Abigail, without the knowledge of her husband Nabal, sent to David a very liberal present of bread and corn, wine, meat, and fruit.

³ See Comm. on Exod. pp. 370, 371.

⁴ Deut. XXIV. 5.

⁵ Comp. 1 Ki. III. 16; Hos. IV. 2,

13, 14; VII. 4; Am. II. 7; Isai. LVII. 3; Jer. IX. 1; XXIII. 10, 14; XXIX. 23; Ezek. XVI. 38; XXII. 10, 11; XXIII. 37, 45; Mal. III. 5; etc.

⁶ Comp. *Talm. Sanh.* 74^a, כל עבירה אם אסורים לאדם עבירה ואל תהיה יבנה ואל תהיה חזק מעבודת אלהים וגילוי עריות ושפיכות דמים; *Maimon. Yesod. Hatt.* V. 9.

TRANSLATION AND COMMENTARY.

CHAPTER XVIII.

SUMMARY. — The Israelites are warned against the vices and evil practices of the Egyptians and the Canaanites (vers. 1—5). They are especially enjoined to shun marriages with the following relations:—1. The mother; 2. the step-mother; 3. the half-sister; 4. the grand-daughter; 5. the sister; 6—8. the aunt, whether the father's sister or the mother's sister, or the wife of the father's brother; 9. the daughter-in-law; 10. the sister-in-law; 11, 12. the step-daughter and step-grand-daughter; and 13. the wife's sister during the life-time of the former (vers. 6—18). They are, moreover, cautioned against sexual intercourse with menstruating women, against adultery, the sacrifice of children in honour of Moloch, sodomy, and coition with beasts (vers. 19—23). These were the crimes on account of which the Canaanites forfeited their land, and from them the Israelites must scrupulously abstain, if they desire to escape a similar fate (vers. 24—30).

1. And the Lord spoke to Moses, saying, 2. Speak to the children of Israel and say to them, I *am* the

1—5. With this chapter the Book of Leviticus enters upon a new and, according to our modern views, a higher phase. It was hitherto exclusively devoted to ceremonialism — to sacrifices and the functions of the priesthood, to precepts on diet and external cleanness. But now follow those moral laws which, unlike the rituals, are not the means and instruments of piety, but concern the very essence of a righteous life and of inward purity. Their nature, therefore, is not national, but human; not special, but universal; and they show the aims for which the Hebrews

were to be trained by the Law. This arrangement is quite appropriate; for it appears like a progress from the husk to the kernel, from religious emblems to religion, from the "shadow" to the spirit of the Law. Our chapter especially is remarkable for unity of design and execution; it is complete in itself, and almost exhausts the subject of which it treats. That subject is the purity of man in his sexual relations; and it is brought into connection with the very centre of the historical teaching of the Pentateuch, which, in briefest outline, is as follows.

Lord your God. 3. Like the doings of the land of Egypt, wherein you dwelt, shall you not do; and like

When the nations, after the building of the Tower of Babel, were dispersed, God assigned to each of them its proper abodes (Deut. II. 5; XXXII. 8); then the Hamitic Amorites and their kindred tribes received for their inheritance the districts of Canaan; but their wickedness soon rendered them unworthy of that beautiful and fertile land, on which "the eyes of the Lord are always from the beginning of the year to the end of the year"; and their degeneracy was apparent in nothing more than in their unchastity and licentiousness. God, however, long suffering, delayed their expulsion for many centuries, until at last "their iniquity was full" (Gen. XV. 16). Then, and not before, the Israelites were permitted to conquer Canaan; but they were promised prosperity in their new territories only on condition that they would keep aloof from the trespasses which had called down the chastisement of the Amorites; and if a native, or a stranger that sojourned among them, committed any of these abominations, then the land, which they defiled, would vomit them out also, as it had vomited out the nations that had dwelt in it before them (vers. 26—28; comp. XX. 22, 23). Thus the invasion and occupation of Canaan were by refined writers of a later age justified on high principles of retribution: though the Israelites were the chosen people, and could, therefore, never cease to stand under God's spiritual protection, they were to enjoy material prosperity only in so far as they deserved it by a virtuous and God-fearing life; in this respect, they could hope for no favour and no privilege, but were subject to the universal laws of Divine government

(comp. Comm. on Gen. pp. 369—371). Thus understood, the statutes of this chapter assume a higher importance; thus they reveal to us the "philosophy of history" as read by the best and most gifted of the Hebrews. But for this very reason they prove the very late date of this singular composition, and point to a time when the annals of the people could be surveyed from the vantage-ground of a long and chequered experience, and when the words, "Let not the land vomit you out when you defile it", had a direct and melancholy significance, because the sad fate foreshadowed in them had really happened when it was announced as a warning to the small and humble community which had settled in Palestine after the Babylonian exile: as their forefathers once, in the time of Moses and Joshua, had been the arm of God for punishing the misdeeds of the Amorites, so had, within their own memory, the Assyrians and Babylonians been the Divine rod for chastising the rebellion and idolatry of the Israelites, and so would God again raise up instruments of His anger, if they provoked it by their disobedience (comp. Isai. X. 5, etc.). —Those who weigh the last verses of our chapter carefully, must admit that they cannot apply to the Mosaic age: "And the land was defiled (וַתִּטְּשׁ), and I visited (וַיִּבְרַח) its iniquity upon it, and the land vomited out (וַתִּבְרַח) its inhabitants" (ver. 25). In these and some of the following terms, the scenery in the desert of Sinai and the time at the beginning of the Hebrew wanderings, usually adhered to with so much fidelity, is changed; the veil thrown over the laws and events of a much later period

the doings of the land of Canaan, whither I bring you, shall you not do; nor shall you walk in their ordinances.

is here almost transparent, and historical analysis enables us to lift it.

The introductory verses sufficiently prove that the matrimonial laws were conceived in a purely ethical spirit. They were not political statutes designed to prevent a dangerous ascendancy of individual families; they were not ceremonial ordinances, nor solely precautionary measures for obviating seduction and too great familiarity in the domestic circle; and still less were they meant as devices for limiting, or for rendering distasteful, sexual intercourse (*Maim. Mor. Nev. III. 35, 49*). Matrimony was regarded, not merely as a physical union, nor merely as a social covenant which might, at any time, be annulled by mutual consent. It was in some respects to mirror the holiness of God Himself, and unlawful alliances were considered as a fatal defilement of the land and its inhabitants. The conclusion of a marriage partook indeed of the character of a contract, since it required the full agreement of both parties; but as soon as the marriage was concluded, it was withdrawn from the arbitrary will of both husband and wife, and was removed to the higher spheres of duty and conscience. The levitical laws of matrimony were binding alike upon the Hebrew and the heathen stranger (ver. 26); and like all moral precepts, they were intended to be unalterable in all times. This is certainly the view maintained in the New Testament. John the Baptist said to the tetrarch Herod Antipater, who had married Herodias, his brother Philip's wife, "It is not lawful for thee to have her" (*Matth. XIV. 4*; comp. *Joseph. Ant. XVIII. v. 4*); he said so with evident refer-

ence to our precepts; for among the Romans the marriage with the brother's wife and with the wife's sister was not forbidden, because among them a matrimonial alliance did not effect so close an approach between the two families as among the Hebrews. And Paul vehemently demanded that the Corinthians should expel from their community a man who had married his step-mother, "a fornication which is not so much as named among the Gentiles", and that they should "deliver him up to Satan for the destruction of the flesh" (*1 Cor. V. 1—5*). So decided is the New Testament even in cases of affinity; it is, of course, unyielding in all cases of consanguinity; and in many points, as the inseparable unity of wedded couples and the re-marriage of widows, it is even more rigorous than the Old Testament (see pp. 380; comp. *Acts XV. 20, 29*, where *πορνεία* perhaps includes our laws; comp. *Selden, De Jure Nat. et Gent. cap. XII.*; *Spencer, De Legg. Ritt. Dissert. II. 1. 2*; *III. 4*; *vol. I. pp. 591 sqq.*). The error of regarding the matrimonial laws of the Pentateuch, at least partially, as judicial enactments, and therefore as having been repealed after the extinction of the Jewish commonwealth, favoured the obnoxious "dispensations", which, by substituting ecclesiastical caprice or covetousness for the inviolable power and impartiality of the Law, helped to undermine the foundations of society. It is true the Hebrew legislators visited transgression of the matrimonial ordinances with death (ver. 29; *XX. 11, 12, 14, 17*); but this does not prove that they regarded them merely as penal laws; they earnestly considered the presence of

4. You shall do My judgments, and keep My statutes, to walk therein: I *am* the Lord your God. 5. And you

certain criminals as contaminating, and therefore insisted upon their death; in some instances, they fixed no punishment, but simply declared that the trespassers should "bear their iniquity" (XX. 19), or pronounced against them a curse (Deut. XXVII. 20—23); in others, they used the strongest terms expressive of moral abhorrence, as "pollution" (כִּזְיוֹן) and "wickedness" (רָעָה), "ungodliness" (אִשְׁתִּימָה) and "defilement" (מִלְּטָמָה); or they threatened that the guilty should remain childless (עֲדֵיכֶם). Hence offences of incest were evidently not believed to be amenable to the worldly tribunals only. In the Pentateuch, the boundary lines between the moral and the judicial spheres are not clearly marked; filial disobedience is punished with death, and the impulses of charity are regulated by precise laws.

It is well known that the Koran allows Mohammedan women to appear in the presence of certain relations unveiled, and that, with one exception, just these relations are in the Pentateuch forbidden to intermarry (comp. *Koran* XXIV. 31; XXXII. 55; *Michael* Mos. R. § 109; *Eheges.* § 69; *Lane*, *Mod. Egypt*, I. 231, 232; etc.). However, these coincidences do not help us to explain the principle underlying the Biblical marriage precepts, for they are evidently themselves contingent results of the latter: as the prevailing laws preclude all hope of a union between near relatives, a freer social intercourse between the sexes and a relaxation of a rigid Eastern custom have been deemed justified. The one exception alluded to is a brother's wife, whom according to the Pentateuch a man must not marry, unless it be as a levir, and

whom yet according to the Koran he is not permitted to see unveiled.

PHILOLOGICAL REMARKS. — Most critics agree that the chapters XVIII to XX belong together, and form a distinct section of the Book of Leviticus (see *Comm. on Lev.* I. p. xxvi.); they contain not a few words which occur hardly anywhere else in the Old Testament or in the Pentateuch (e.g. כִּזְיוֹן *pollution* XVIII. 23; XX. 12; שִׁנְאָה *slander* XIX. 16; אִשְׁתִּימָה *ungodliness* XX. 17; comp. *Prov.* XIV. 34; רָעָה *wickedness* XVIII. 17; XIX. 29; XX. 14; מִצְרֵי מִצְרָה *mixture of linen and wool* XIX. 19, comp. *Deut.* XXII. 11; קָצַר *to cut round* XIX. 27; רָחֵק *betrotthed* XIX. 20; חֵרֶץ *liberty*, *ibid.*; מִצְרָה *punishment*, *ibid.*; מִצְרָה מִצְרָה *branding with marks* XIX. 28; etc.). Nor could the fact that these chapters bear, in many points, a striking resemblance to the writings of *Ezekiel*, escape the notice of students; it has, therefore, been conjectured, on the one hand, that *Ezekiel* is himself the author of these sections (XVIII—XXII); and on the other hand, that, having eagerly read, he largely reproduced them; the former hypothesis was proposed by Graf (*Die geschichtlichen Bücher des Alten Testaments*, pp. 81—83), the latter by Nöldeke (*Untersuchungen zur Kritik des Alten Testaments*, pp. 67—71). We can agree with neither of these theories. The resemblance referred to lies neither in the style nor in the spirit: for the style of *Ezekiel* is full and rhetorical, that of our portion of *Leviticus* precise and condensed; and the spirit of the one is prophetic and ideal, of the other essentially legal and positive. The analogy is limited to the identity of a certain number of words and phrases, which the

shall keep My statutes and My judgments, which if a man do, he shall live through them: I *am* the Lord.

legislator might as well have borrowed from the prophet as the prophet from the legislator, or which both alike may have derived from some older work. Deuteronomy has many laws and subjects in common with Leviticus, and the former Book which was diffused when Ezekiel was a child, and which could not fail to interest and attract him, might well have been his source or guide. The codes of Leviticus are proved to be the very latest of the whole Pentateuch by their systematic order, their comprehensiveness, and their advanced and minute ceremonialism. It is, therefore, utterly inadmissible to suppose that our sections are attributable to the early Elohist, and that he compiled them with the aid of anterior documents, some Jehovistic interpolations having merely been added at a later time (so *f. i. Knobel*, Lev. 500, 501; *Nöldeke* l. c. 64).

The unity of the eighteenth chapter is only marred by the twenty-first verse, which introduces a heterogeneous subject, "And thou shalt not give any of thy seed to let him pass to Moloch, and thou shalt not profane the name of thy God: I am the Lord". It is hardly probable that this verse was placed where we find it by the original compiler of the chapter. It seems to have been inserted by a later and less attentive or less logical reviser; but it would be idle to speculate on his motives; nor is it possible to decide whether to the same hand is due the even more irregular addition at the end of this division of Leviticus (XX. 27), where after an elaborate and general conclusion, a specific prohibition against soothsaying was appended, the more uncalled for as the same command is

enjoined in that very chapter and in the preceding one (ver. 6; XIX. 31; comp. ver. 26).

It is of no avail to attempt the proof that the laws and menaces of this chapter (espec. vers. 24 *sqq.*) originated in the age of Moses (see, *f. i.*, *Ranke*, Untersuchungen, I. 105; II. 88; *Hävernick*, Einleit. in den Pentat., ed. Keil, p. 416): in some of the statements the time of the Sinaitic wanderings is indeed studiously delineated, and distinctly in ver. 3, "Like the doings of the land of Egypt, wherein you dwelt, shall you not do; and like the doings of the land of Canaan, whither I bring you, shall you not do"; but many of the laws were unknown even in the period of the monarchy (see p. 354), and the menaces refer to the Israelites as being in actual possession of Canaan (comp. also vers. 27, 28).—In this and the following sections, the phrase *וְאַתָּה אֱלֹהִים יְהוָה אֱלֹהֵינוּ* and *וְאַתָּה אֱלֹהִים יְהוָה אֱלֹהֵינוּ* occur very frequently, and are possibly characteristic of a particular author (see Comm. on Lev. I. p. xxviii).—The relative *וְאַתָּה* in ver. 5 may either refer to the preceding nouns (*וְאַתָּה יְהוָה אֱלֹהֵינוּ*) or to the following subject (*וְאַתָּה אֱלֹהִים יְהוָה אֱלֹהֵינוּ*): both constructions are in accordance with Hebrew usage, and with the force of the principal verb *וְאַתָּה* (comp. Neh. IX. 29; *Zwanz* "die der Mensch thut, dass er durch sie lebe"; the Sept., converting the relative into an independent sentence, *ὁ ποιῆς αὐτὰ ἀνθρώπος ζῆται ἐν αὐτοῖς*). Onkel., Jonath., Rashi, a. o. understand *וְאַתָּה* as the future life; *Luzz.* explains "life" by "well-being" (*benessere*); *Rosenm.* "is ducet vitam tranquillam, ei nulla poena a magistratu timenda est"; but all these interpretations are against the spirit of the Pentateuch

6. None of you shall approach to any that is near

and its notions of happiness; life simply is meant, which was in itself regarded as the highest boon and the greatest reward; whereas sudden or early death was, as a rule, looked upon as the dire punishment of sin.

6. "None of you shall approach to any (לִבְיָמִי) that is near of kin to him." Thus, after a general introduction warning the Hebrews not to follow the practices of neighbouring nations, the laws of marriage are preceded by a broad principle, which would be superfluous if it did not comprise more cases than those mentioned immediately afterwards; it is so comprehensive in form and scope that it might have rendered any special enumeration unnecessary, had not the legislator preferred explicitness in a subject of such paramount importance. Moreover, that principle was, as the context seems to suggest, the direct reverse of that acted upon by the Egyptians and the Canaanites; and it was even more decidedly opposed to the usage of the Persians. Among the latter, marriages with near relations (called qatvô-datha) — with mothers, sisters, and daughters — were expressly recommended as meritorious and as most pleasing to the gods; and they were unanimously advocated both by older and later teachers, who considered the offspring of such marriages "the most noble of all men, and worthy of the highest honour and authority", probably because the Iranic nations, conspicuous for family pride, deemed it to be their highest duty to preserve the purity of their blood and the strict division of their tribes (*Vispered* III. 18; *Philo*, *Spec. Legg.* III. 3; comp. *Khorda-Avesta* XLV. 18; *Spirgel*, *Avesta*, II. pp. xxviii, cxiv, cxv, and 11, 12; see also *Herod.*

III. 31; *Diod. Sic.* I. 27; *Strabo* XV. iii. 20; *Lucian*, *De Sacrif.* c. 5; *Diog. Laert.* *Proem.* VI; *Minuc. Fel.* c. 31; *Clem. Alex.* *Strom.* III. p. 431; *Euseb.* *Praep. Ev.* VI. 10, § 8; *Phot.* *Bibl.* p. 132 ed. Becker; *Selden*, *De Jure Nat. et Gent. lib.* V. c. 11, pp. 601—611). The common Egyptians declared that, in sanctioning marriages with sisters, they only imitated the example of the happy couple Osiris and Isis, and of Typhon and Nephthys; and their history records many examples of such unions among their kings, as Ptolemy Philadelphus and his sister Arsinoë, and Ptolemy Euergetes and Berenice; whereas the initiated explained the mythological instances as symbols of the fertilising Nile and the fertile land (comp. *Diod. Sic.* I. c.; *Pausan.* I. 7; *Lucian* I. c.; *Philo*, *Spec. Legg.* III. 4; *Joseph. Ant.* XII. ii. 6; XX. ii. 1; *Minuc. Fel.* I. c.; *Jablonski*, *Pantheon*, lib. V. cap. 3; *Wilkinson*, *Anc. Eg.* II. 63). Herodotus (I. c.) maintains that such marriages were not legalised in Egypt before the time of Cambyses; and in support of this view we might adduce that Abraham, when he arrived in Egypt, and desired to avoid the suspicion that Sarah was his wife, alleged that she was his sister (*Gen.* XII. 13; comp. XX. 2; XXVI. 7). Though the Greeks shunned the marriage with the germane sister as "unholy" (ἄγρος δέστος), neither the Athenians nor the Spartans saw an objection in marrying the half-sister, the former if she had the same father as her husband, the latter if she had the same mother (comp. *Aristoph.* *Ranæ* 850; *Plat.* *Respub.* V. 9; *Eurip.* *Androm.* 174 sqq.; *Plut.* *Cim.* 4; *Themist.* 32; *Corn. Nep.* *Cim.* 1; *Philo* I. c.). Such were the usages, not of barbarous and reckless tribes unused

of kin to him, to uncover *their* nakedness: I *am* the

to moral restrictions, but of nations that had attained a very high degree of civilisation. — It is, therefore, obvious how important it was to insist upon the principle laid down in this verse at a time, when the Hebrews were constantly exposed to the influence of their Persian masters, and came into perpetual contact with their Egyptian neighbours. As to the Canaanites, their fearful depravity is, by writers of all periods, dwelt upon in the strongest terms of rebuke and abhorrence (comp. Gen. XV. 16; XIX. 5; Exod. XXIII. 24; Deut. XX. 17, 18; etc.).

The specified list of prohibitions which follows, does not directly include the marriage with the mother-in-law (רַמְזָה), which is interdicted not only in another portion of Leviticus, but already in Deuteronomy, and which was detested as impious by the Romans and other nations (Lev. XX. 14; Deut. XXVII. 23; comp. Cic. pro Cluent. c. 6; Koran IV. 27; see *infra* on ver. 17); but this omission does not involve an alteration of the law; if the step-mother was forbidden (ver. 8), it is not likely that it should have been deemed lawful to marry the mother-in-law; our list does not attempt completeness, for it does not even mention the daughter; it discloses the principles of the prohibitions, but does not attempt an exhaustive enumeration (see p. 359).

PHILOLOGICAL REMARKS. — Ebn Ezra points out that our text enjoins generally, "None of you (אִתְּכֶם) shall approach", without adding "of the house of Israel", and he deduces therefrom the rule that the stranger also must be prevented from committing any of the crimes referred to, lest he defile the land (see p. 335, and vers. 24-30). — Thenot very usual

word בָּשָׂר is coupled with its synonym בָּשָׂר *flesh*, to express the notion of consanguinity with greater force, and the term בָּשָׂר בָּשָׂר means "his flesh and blood", or "his flesh and bone" (Gen. XXIX. 14; Judg. IX. 2; etc.), literally "the flesh of his flesh" (Sept. πρὸς πάντα οὐκείον σαρκὸς αὐτοῦ, Vulg. ad proximam sanguinis sui; Onk. and Jon. מִבְּשָׂר בָּשָׂר); and so בָּשָׂר רַמְזָה (Ps. XLIII. 4) "my jubilant joy", etc.; but the *same* noun is more frequently repeated after a construct state to intensify the notion, as רַמְזָה רַמְזָה (Hos. X. 15) "your fearful wickedness", רַמְזָה רַמְזָה (1 Ki. VIII. 27) "the highest heavens" (see Gram. § 75.7.b). Some take רַמְזָה merely as a periphrase for "his own" or "of himself" (so Vater a. o.); but רַמְזָה never occurs in this sense. בָּשָׂר is joined with רַמְזָה elsewhere also (XXV. 49), and it is used alone in the meaning of "near of kin" (vers. 12, 13, and XX. 19; XXI. 2; Num. XXVII. 11, where it is kinsman in general; comp. the abstract noun רַמְזָה "near relationship", ver. 17), or in the sense of "body" (Ps. LXXXIII. 26; Jer. LI. 35), and of "food" (Exod. XXI. 10; etc.). The fact that בָּשָׂר "flesh" is employed also with reference to mere affinity (comp. ver. 17), goes far to prove that man and wife are regarded as "one flesh", and that the relations of one become the relations of the other; בָּשָׂר also denotes both near and distant kinsmen (comp. Gen. XXIX. 14; XXXVII. 27; Judg. IX. 2; 2 Sam. V. 1; etc.). Some old and modern interpreters render בָּשָׂר בָּשָׂר "the remainder of his flesh" (so Bonfrère, Michael, Bush, Herzheim, a. o., and so also the marginal reading of the Author. Vers.): though the word בָּשָׂר has hardly this meaning, and the phrase loses in emphasis, the general

Lord. 7. The nakedness of thy father and the nakedness of thy mother shalt thou not uncover; she is thy

sense is the same as that of the usual translation — "none of you shall approach any one else who is of the same flesh". — The phrase לֹא תִגְדֹּף (Sept. ἀποκαλύψαι δαχμωσύνην, Vulg. revelare turpitudinem), a euphemism for having carnal intercourse, is commonly used with reference to men, but once also with respect to women (XX. 17); comp. לֹא תִגְדֹּף (XX. 19). — Bertheau (Gruppen, pp. 198—200) assumes in this chapter, from ver. 6 to ver. 23, twice *ten* commands, reckoning vers. 17 and 23 as two commands each. — It has been strangely supposed that the laws enacted in the following verses (6-18) do not relate to marriage but to *stuprum* (so f. i. Rosenmüller, following older authors, see Schol. in loc.): if this were the case, why were men just forbidden to approach their "near relations", as if they might have unrestricted intercourse with other women; and how could, among others, the 17th and the 18th verses be explained? The phrase לֹא תִגְדֹּף means, generally, to have carnal connection, whether in wedlock or not; it seems to be employed in these laws in order to point more strikingly to the moral hideousness of their transgression; and in a parallel passage (XX. 14) marriage is plainly and unmistakably expressed (וְאִם יִשְׁכַּב).

3. The arrangement of our list is clear and systematic. It begins with the cases of consanguinity both direct and collateral — mother, sister, grand-daughter, father's sister, and mother's sister (vers. 7—13); then follow the cases of affinity in two subdivisions, first the wives of the blood-relations — the father's brother's wife, the daughter-in-law, and

the brother's wife (vers. 14—16); and next the wife's blood relations — wife's daughter and mother, wife's grand-daughter, and wife's sister (vers. 17, 18).

The horror felt in the ancient world at maternal incest, even if unconsciously committed, is powerfully described in the Greek legends which cluster round the name of Oedipus, who, cursed by the gods and shunned by men, inflicts fearful punishment upon himself, till he dies a forlorn exile, to bequeathe to his family fratricide and domestic feuds, and to his country civil war and sad desolation. Even Plato, who in his ideal republic recommends that "whenever either the women or the men are past the age of procreation, the men should be allowed to cohabit with any women they like", yet bids his citizens keep aloof from their mothers and daughters, their grand-mothers and grand-daughters (Respub. V. 9); Aristotle clings to the time-honoured view that the alliance with the mother clashes with a primary law of nature to which even irrational beasts submit; and the Roman code repeats the same axiom (*Justin. Instit. nov. XII. c. 1; Lex Dei, Tit. VI. 2, "inter parentes et liberos connubium non est"*). Among the Hebrews contravention was no doubt punished with the death of both offenders, since even marriage with a step-mother was a capital crime (XX. 11; comp. Deut. XXIII. 1; XXVII. 20; *Philo, Legg. Spec. III. 3, Op. II. 301*).

PHILOLOGICAL REMARKS. — The particle וְ in וְאִם יִשְׁכַּב (ver. 7) means *and*, not *or* (Engl. Vers. a. o.), nor *that is* (Brentano, Vater a. o.): the commands are addressed to the men only, and father and mother are here

mother, thou shalt not uncover her nakedness. 8. The nakedness of thy father's wife shalt thou not uncover; it is thy father's nakedness. 9. The nakedness of thy sister, the daughter of thy father or the daughter of thy mother, *whether she be born at home or born abroad*

joined, as in marrying the latter, the son commits an offence against the former also; the subsequent words *וְאִם הָיָה*, and the conclusion of ver. 8 (*וְאִם הָיָה אִתְּךָ*) remove every doubt (comp. also vers. 8, 14, 16; XX. 11; Ezek. XXII. 10; *Talm. Sanh.* 54^a). Therefore the explanation of *וְאִם הָיָה* given by Rosenmüller and others, "*eam quam nudavit aut nudare potestatem habet pater tuus*", is as uncalled for as it is grammatically questionable. Those words certainly do not refer to disgraceful conduct like that of Ham (Gen. IX. 22, 23). — *וְאִם הָיָה* in pausa instead of *וְאִם הָיָה* (comp. XX. 19; see Gramm. § LXVII. 14.^a).

8. As according to Biblical notions, husband and wife became "one flesh", a step-mother was regarded as a blood-relation almost as near as father and mother themselves; and hence St. Paul implacably branded marriage with a step-mother as "fornication" so heinous that heathens recoiled from its very name, and insisted upon the excommunication of a convert who had violated that rule (see *supra* p. 385).—It is a well-known practice of Eastern usurpers to marry the wives and concubines of their predecessors, all whose rights and prerogatives they are deemed to have secured by that act. Thus David married the wives of Saul, his father-in-law, and he did so with the approval of the best of his contemporaries and of a much later age (2 Sam. XII. 8). Similar was the object of Absalom in openly dishonouring his own father's con-

cubines, and of Adonijah in demanding Abishag, his father's wife, in marriage (2 Sam. XVI. 20—23; 1 Ki. II. 17). Absalom acted as he did on the advice of Ahitophel, whose wisdom was in his time deemed oracular, and who was certain that the usurper's authority would be strengthened by a deed which in the age of our legislator was held incestuous, and which already in the last address of Jacob is condemned with indignation (Gen. XXXV. 22; XLIX. 4). — Marriages with step-mothers seem to have been common among the ancient Arabs, but were interdicted by Mohammed (*Koran* IV. 27). — With respect to the African Kytch tribe a recent traveller relates that "when a man becomes too old to pay sufficient attention to his numerous young wives, the eldest son takes the place of his father, and becomes his substitute" (*Baker, Albert Nyanza*, p. 74).

9. Marriage with a half-sister was indeed, in remoter periods, not unusual among the Hebrews (p. 357), as it was, with certain restrictions, permitted among the Spartans and Athenians (p. 388); but it was by the levitical authors stamped as an "accursed" and "ungodly" crime (*רָעָה*), inexorably to be visited with public execution, whether the half-sister be born in wedlock or out of it (*רָעָה*, comp. XX. 17; Deut. XXVII. 22). It is difficult to decide when this severer view was adopted; certain it is, that it was still unheeded in the earlier times of the monarchy, as is proved by the narrative of Genesis

— their nakedness thou shalt not uncover. 10. The nakedness of thy son's daughter or of thy daughter's daughter — their nakedness thou shalt not uncover; for theirs is thy *own* nakedness. 11. The nakedness of thy

with respect to Abraham and Sarah, and of the Book of kings in reference to Amnon and Tamar (see *supra* p. 358); but it was already in force in the Assyrian period, since it is embodied in Deuteronomy (Lc.; comp. notes on ver. 11). According to the Canons of St. Basil (about 370), a man who had married his half-sister was forbidden to enter any place of worship; if he continued the offence, he was, for three years, compelled to stand at the portals of his church, and to implore the faithful to intercede for him by their supplications; for the next three years he was permitted to listen to the sermons and the readings from Scripture, but not to take part in the public prayers; during an equal period he was only allowed to do so while kneeling; and then at last, he was re-admitted into the community, after a public penance of eleven years (comp. *Rhailis* and *Pollis*, Σύνταγμα τῶν ἐκπῶν κατόντων, Athens 1854, IV. 88 *sqq.*).

10. A man's grand-daughter is his own flesh and blood (רַחֵם); how much more then his daughter; the prohibition of marrying the latter is, therefore, *a fortiori* implied in that of marrying the former, though it is nowhere expressly stated (p. 359; comp. *Talm. Sanh.* 76^a).

11. If the received Hebrew text be correct, this verse must relate to the full sister, though it is surprising that she should be mentioned after the half-sister (ver. 9), and that the law concerning the grand-daughter should have been inserted between the one and the other (see Philol. Rem.). According to the Canons of

St. Basil, the Church looked upon incest with a sister in exactly the same light as upon murder (comp. also *Manu* XI. 171).

PHILOLOGICAL REMARKS. — The 9th and the 11th verses, taken in conjunction, present no inconsiderable difficulty: if interpreted by the ordinary usage of Hebrew, they seem to be identical in sense, both of them interdicting the marriage with the half-sister, so that either one verse or the other would be superfluous. For in ver. 9, אִתּוֹת בְּרִאָתָא אִם בְּרִאָתָא אִם "thy sister, the daughter of thy father or (אִם) the daughter of thy mother", can only be half-sister; and in ver. 11, the words בְּרִאָתָא אִם בְּרִאָתָא אִם "the daughter of thy father's wife, begotten of thy father", appear to mean the same, since רַחֵם אִם, wherever it occurs, signifies the *step-mother* (comp. ver. 8; XX. 11; Deut. XXIII. 1; XXVII. 20). This strange repetition may, however, be removed by the following alternative — either by reading in ver. 9 אִם instead of אִם; or by taking in ver. 11 אִם רַחֵם as *mother*; understood in this manner, either of the two verses would prohibit the marriage with the *full sister*, while the other might be taken to refer to the *half-sister*. The former expedient would in itself be decidedly preferable; for it would give the natural precedence to the germane sister, and it would allow us to take אִם רַחֵם in ver. 11 in its usual sense of *step-mother*. However, if the reading בְּרִאָתָא אִם, instead of בְּרִאָתָא אִם, which is indeed not countenanced by the ancient versions, be objected to, nothing remains but to translate

father's wife's daughter, begotten of thy father, she is thy sister, thou shalt not uncover her nakedness. 12. Thou shalt not uncover the nakedness of thy father's sister; she is thy father's near kinswoman. 13. Thou shalt not

אֶם רַמָּא by *mother*; so that in ver. 9 the half-sister and in ver. 11 the full-sister would be interdicted. Some interpreters, by assuming the most unusual elliptical constructions, suppose the meaning of the two commands to be almost the reverse of that just stated; Luzzatto, *f. i.*, renders ver. 5 *le vergogne di tua sorella, figlia (anche) di tuo padre, o figlia (soltanto) di tua madre*; and ver. 11 *le vergogne della figlia della moglie di tuo padre, generata da tuo padre (ma da altra madre) etc.* Some again understand ver. 9 of the half-sister, and ver. 11 of the step-sister (Gerlach); and others consider that both verses apply to the half-sister, ver. 9 to one born in a first marriage of the father or mother, and ver. 11 to one born in a second marriage of the father (so Clericus, Pfeiffer, De Dieu, Keil, a.o.): but such a distinction can hardly be intended, nor can it easily be deduced from the words of the text. Lengerke (Kenaan, p. 229) renders ver. 11, "Thou shalt not uncover the nakedness of the daughter of thy father's wife, if the latter bears a child to thy father" (מִלְרֵי אָבִיךָ), whereas if she bears him no child, her daughter of a former marriage is allowed to marry the son of her second husband: but the words מִלְרֵי אָבִיךָ bear no such construction, and the explanation introduces a novel and questionable principle: matrimony in itself, not its fruitfulness, constitutes relationship. — The signification of *step-sister* is, in ver. 11, excluded by the qualification מִלְרֵי אָבִיךָ "begotten of thy father" (lit. "the offspring of thy father"; comp. Gen. XLVIII. 6; the words cannot

mean "reared up by thy father" מִלְרֵי אָבִיךָ, as they were understood by some interpreters, see *Ebn Ezra* in loc.). — Nor can step-sister be intended, in ver. 9, by the words מִלְרֵי הָאָבִיךָ (so St. Augustine a. o.), since she is *neither* of the same father *nor* of the same mother with her step-brother (comp. *Augustin. Quaest. LIX* in Levit.; *Michael. Mos. R.* §§ 114, 115). The words מִלְרֵי הָאָבִיךָ are translated by Onkelos, "one who is born of thy father with another wife, or of thy mother with another husband"; which is no doubt the correct meaning of the terms. Targum Jonathan seems to go too far in including both the half-sister and the full sister, "one that thy father begets with another wife or with thy mother, or one that thy mother brings forth with thy father or with another husband" (and so Rosenmüller a.o.); while Ebn Ezra explains, without probability, "one who is born by parents married according to the statutes of Israel, after betrothal and marriage rites, and one who is born in a marriage concluded contrary to established customs". — מִלְרֵי is prop. *birth*, then the concrete *offspring, child*; or if taken in its original and verbal force, it stands for the Hophal מִלְרֵי, though it is by no means necessary to adopt this reading (as some propose; comp. also *Ewald, Lehrbuch*, p. 297); the rendering of Rosenm. "*cum nulla prole, quae a patre tuo descenderit, congregari*", is too wide, for מִלְרֵי is evidently meant to explain the preceding רַמָּא.

12—14. Not only does the Hebrew law forbid the alliance with the father's and mother's sister, or

uncover the nakedness of thy mother's sister; for she *is* thy mother's near kinswoman. — 14. Thou shalt not uncover the nakedness of thy father's brother, thou shalt not approach to his wife; she *is* thy aunt. 15. Thou shalt not uncover the nakedness of thy daughter-in-law; she *is* thy son's wife, thou shalt not uncover her nakedness. 16. Thou shalt not uncover the nakedness of thy

the real aunt, but also with the uncle's wife, who is properly no blood-relation of her nephew, but becomes his near kinsman by her becoming one with his uncle; in the former case, the law threatens that the offenders "shall bear their iniquity" (XX. 19), which probably implies punishment, and even death, at the discretion of the worldly tribunals, and in the latter case, that they shall remain "childless" (עֲרֵירָא) to the end of their lives (XX. 20), which heavenly visitation proves that their conduct was deemed a moral offence against the Divine order of things: so consistently was the chief principle which underlies all these statutes carried out. Is it, then, probable that the author should have meant to legalise the marriage between uncle and niece, who stand in the same near relation of consanguinity as the nephew and his real aunt? (see *supra* p. 359).

15. The cases of consanguinity being completed, those of affinity follow. Marriage with a daughter-in-law is described as detestable "pollution" (בִּזְיוֹן) meriting death, since according to the strictest levitical view, it is almost like marriage with a daughter (comp. XX. 12). It was by many other nations regarded with similar abhorrence (comp. *Mann* XI. 171; *Koran* IV. 27).

16. In this and another passage of Leviticus, the marriage with a deceased brother's wife is forbidden

as incestuous "defilement" (בִּזְיוֹן), and menaced with the curse of childlessness (XX. 21), whereas in Deuteronomy, it is in certain cases enjoined as a moral and civil duty (comp. XX. 21; Deut. XXV. 5—10; *Targ. Jon.* in loc.): we have above attempted, if not to reconcile, at least historically to account for, this contradiction (see pp. 361—363). Such an alliance was abominated by the first Christian teachers (comp. Matth. XIV. 3, 4); the Council of Nicaea decreed that a woman who married successively two brothers should be excommunicated until her death; and Protestant legislations punished the same offence with public disgrace and expulsion from the country (*Corpus Juris Saxonici*, Dresd. 1673, p. 124; *Richter*, *Evangelische Kirchenordnungen*, I. p. 125). Never during the first fourteen centuries were dispensations granted for such alliances; the Pope Martin V (1417—1431) was the first who ventured to break through the old barriers; the third dispensation given was that fatal one which Pope Julius II accorded to king Henry VIII for marrying Catharine of Aragon, the widow of his elder brother Arthur; and from the middle of the eighteenth century such marriages were frequently permitted (comp. *N. Knopp*, *Katholisches Eherecht*, I. 350). The Roman law did not expressly forbid them, but the early Romans regarded them as indecorous.

brother's wife; it *is* thy brother's nakedness. — 17. Thou shalt not uncover the nakedness of a woman and her daughter, nor shalt thou take her son's daughter or her daughter's daughter, to uncover her nakedness; *for they are her* near kinswomen; it *is* wickedness. 18. And

17. A man was not to marry "a woman and her daughter"; for if both were his wives at the same time, or if he took the mother after the death of her daughter, he would marry his mother-in-law, which was considered an execrable offence (see *supra* on ver. 6); and if he took the daughter after the death of her mother, he would marry his step-daughter, and this marriage was considered almost as a marriage with his own daughter, since he and his former wife were virtually one; it was denounced as "wickedness" (רָעָה), and punished with death by fire (XX. 14). For similar reasons the alliance with the wife's grand-daughter was objectionable, for, as a rule, the matrimonial laws were fully applicable in the ascending and descending line.

18. We have before expressed our opinion on the much vexed question of the marriage with the wife's sister (*supra* p. 363): by the wording of the Hebrew text, a man is permitted to marry his *deceased* wife's sister, but not to have two sisters for wives at the same time, or one after the other while both are living — this is the logical inference to be drawn from the qualifying addition "in her lifetime" (חַיֶּיהָ); and yet by the spirit of the levitical law, the former alliance also is like an alliance with a sister, and therefore no less objectionable. Such scruples were indeed unknown to the Hebrews of earlier times, since even in Genesis Jacob is represented as the husband of the sisters Rachel and Leah; but

they followed with necessity from the severe theory of marriage gradually worked out and adopted. Philo, in the oldest explanation of our law that has come down to us, observes that it is impious (ὀύχ ἅγιον) for one sister to usurp the place of the other, and to make the misfortune of the latter a stepping-stone of her own happiness; thus bitter jealousies and implacable enmities must be engendered; and it would be as if the different members of the body, abandoning their natural harmony and fellowship, were to quarrel with one another, thus inevitably causing incurable diseases and endless mischief (*Philo*, *Spec. Legg.* III. 5). In this sense the prohibition has commonly been understood, and if the words of our verse alone are weighed, it can hardly be understood otherwise: and yet the matrimonial laws, taken as a whole, were not prompted by considerations of mere expediency, such as the prevention of unsisterly rivalry, since their main object was to warn against alliances between near relations (ver. 6). From whatever side we weigh the question, we cannot help being struck by the incongruity of a code which permits a woman to marry, at least under certain conditions, her sister's husband, but expressly forbids a man to marry his brother's wife. If the wife dies, her husband does not cease to be the brother of that wife's sister; yet practical life seemed to demand some relief from the rigour of abstract logic, and the prohibition was limited to the lifetime of both sisters. If

thou shalt not take a wife to her sister, to cause en-

has been contended that this was a concession analogous to the levirat and the permission of divorce; but the cases are not quite parallel: the levitical legislators are entirely silent with regard to the levirat and divorce; for in their own time the former was unnecessary, and the latter was strongly opposed by contemporaries, such as Malachi (see p. 378); a direct repeal of the two statutes, known to the people as a part of Deuteronomy or "the Book of the Law", was unfeasible; and silence on these subjects was sufficiently significant.

We need hardly add that these remarks are merely designed to elucidate the meaning and intention of the command, without attempting to decide upon its value or its binding force; the latter points must be left to individual judgment and feeling, which in no other sphere claim greater respect and freedom. The prevailing laws of matrimony may possibly, in the course of time, call for revision; and progress and liberty of action should not be checked by a misconception of Biblical authority. The very verse under consideration affords the strongest proof that the ordinances of the levitical code are not final and unalterable; for this verse involves the sanction of polygamy, which, not even abrogated by Christ and the apostles, is now regarded by western Jews and Christians not merely as inexpedient, but as immoral.

It is well known that from comparatively early times, many chiefs of the Christian Church indeed translated the words of our verse literally, yet weighing the spirit of the law, were strongly opposed to the marriage with the deceased wife's sister.

By the Apostolic Canons (about 300) persons contracting such an alliance were for ever incapacitated for clerical functions. The Council of Illiberis (about 305) excluded them from holy communion for five years; St. Basil (375) imposed upon them for seven years the ecclesiastical penalties fixed for adultery; his celebrated letter on the subject proves that, in the Church "a custom equivalent to a law, and handed down by holymen" had been established against such marriages; it was in his time probably that the Septuagint (in Deut. XXVII. 23) received the interpolation found in the Vatican copy of that version, "Cursed be he who lies with his wife's sister" (ἐπικατάρατο; ὁ κοιμώμενος μετὰ ἀδελφῆς τῆς γυναίκο; αὐτοῦ); and similar views were enforced by the emperors Constantius and Theodosius, Honorius, Theodosius II, and Justinian, and by all the leaders of the Greek and Latin Church: the only notable exception is Diodorus, bishop of Tarsus; but he was indignantly opposed by his contemporary St. Basil, who declared that such marriages are indeed permitted to the Jews because they are under the Law and all its ceremonial enactments, but not to the free Christians, and asked how the offspring of the two sisters would be related to each other, whether they should be called cousins or brothers, since by a deplorable "confusion" (σέγχυσις) they could claim both names. In England, those marriages were forbidden in 1603 by the Convocation of the province of Canterbury in a Canon which has never been formally ratified by Parliament. Dispensations were, however, readily granted in the Roman Church; and since the last century many Protestant theo-

mity, to uncover her nakedness, beside her, in her life time.

logians and jurists, and among the first those of the pietistic schools, as Philip Jacob Spener, declared marriage with the deceased wife's sister unobjectionable, since the prohibition is not unequivocally enjoined in the Bible. It was disapproved of by the Karaites; but among the bulk of the Jews it has at all times not only been tolerated but encouraged (comp. *Mishn. Yevam.* IV. 13, אָדָם שֶׁנִּשְׁתָּה אִשְׁתּוֹ שֶׁנִּשְׁתָּה אִשְׁתּוֹ; comp. III. 7, 9; X. 4; *Maimon.* Hilch. Issur. Biah II. 7, 9).

PHILOLOGICAL REMARK.—From the sixteenth century down to our time many interpreters have supposed that this verse enforces the prohibition of polygamy, and have rendered the words אִשְׁתְּךָ לֹא תִקַּח לְאִשְׁתְּךָ, "Thou shalt not take one wife to another". This translation was first proposed by Junius and Tremellius in 1575, and it is also given in the margin of the Authorised English version. But polygamy was not, and could not be, interdicted in the Pentateuch, which often refers to it as to an established and lawful institution (see *supra* p. 373). The words אִשְׁתְּךָ לֹא תִקַּח לְאִשְׁתְּךָ, like the corresponding masculines, are indeed occasionally "one to or with another" (Exod. XXVI. 3, 5, 6, 17; Ezek. I. 9, 23; III. 13), but in all such passages they have reciprocal or distributive force, a plural noun with a plural verb invariably preceding (f. i. אִשְׁתְּךָ לֹא תִקַּח לְאִשְׁתְּךָ, "their wings were straight one toward the other", Ezek. I. 23), whereas no such mutual relation exists in our passage; moreover, אִשְׁתְּךָ occurs here repeatedly in its usual signification of sister (vers. 9, 11–13), and can in our context not be understood differently. Onkelas renders אִשְׁתְּךָ לֹא תִקַּח, whereas he

translates the same words in Exodus אִשְׁתְּךָ לֹא תִקַּח, evidently taking those words in our passage literally, but in Exodus figuratively (comp. also *Targ. Jon.* in Ezek. I. 23 and III. 13); Sept. γυναικα ἐξ' ἀδελφῆς αὐτῆς; and so Syr., Ital., Vulg. (sororem uxoris tue), Theodor., etc., etc.; Philo l. c. ὁμο ἀδελφῆς; and St. Augustine already (*Quaest. LXIII. in Lev.*) distinctly observes, "Hic non prohibuit superducere, quod licebat antiquis propter abundantiam propagationis". Indeed symmetry and completeness seem to require that the list should include the prohibition of marriage with the wife's sister (see *supra* on ver. 7).—In 1 Sam. I. 6 the word אִשְׁתְּךָ is plainly used for rival wife; it is, therefore, probable that אִשְׁתְּךָ in our verse means "to be hostile", that is, to cause jealousy or enmity (comp. Arab. فَرَّ III to be jealous, IV to take a second wife); and not "to bind or tie together" (comp. Exod. XII. 34; 1 Sam. XXV. 29; Isai. VIII. 16; etc.). Onkelas and Jonath. have אִשְׁתְּךָ לֹא תִקַּח, "to afflict her"; Rashi אִשְׁתְּךָ לֹא תִקַּח, similarly Rashb. and others (Nicol. de Lyra "ad anxandum", Pagninus and Leo de Juda "ad lacesendum", Luther "ihr zuwider", Vatablus "ut affligas eam", Cranmer "to vex her", Luke Osiander "ad affligendum", Clericus "ut dolorem huic crees"). The Sept. has ἐντὶ (ἐντὶ, a rival, Zanzab. Nebenbuhlerin; comp. Sir. XXVI. 6; XXXVII. 11), and Ital. in zelum; and so Hesych., Seb. Munster (in aemulationem sive tribulationem), Seb. Schmidt (ad aemulandum), Le Maître de Sacy and Calmet (pour la rendre sa rivale), Dathe (ad aemulationem ejus excitandam), Michaelis

19. And thou shalt not approach to a woman to uncover her nakedness during the uncleanness of her *monthly* impurity. 20. And thou shalt not lie carnally with thy neighbour's wife, to defile thyself with her. —

(dass sie ihr Eifersucht verursache), De Wette (zur Erregung der Eifersucht), Gesenius (ita ut zelotypae fiant, una alterius aemula sit); but Vulg. in pellicatum illius (i. e. ut sit pellex sororis). The quarrels of *durrahs* or fellow-wives are proverbial in Egypt and elsewhere (comp. Lane Mod. Eg. I. 240). — לְיָדָהּ is "beside her", not "upon her", as the Bishops' Bible and others render; for the phrase לְיָדָהּ is complete in itself, without requiring the complement of לְיָדָהּ or לְיָדָהּ . — The word לְיָדָהּ has indeed a rather anomalous position at the end of the verse (comp. Gramm. II. § LXXIV. 5), for it evidently relates to the first part of the injunction — "thou shalt not take a woman besides her sister . . . in her life-time"; some, however, as Calvin and Patrick, anxious to proscribe the marriage with a deceased wife's sister unconditionally, connect לְיָדָהּ with the nearer verb $\text{לֹא תִקַּח$; but this would yield the very feeble sense — "thou shalt not take a woman besides her sister, to vex her . . . in her life-time". Others again, as Dr. Pusey, refer the suffix in לְיָדָהּ not to לֹא תִקַּח , but to $\text{אֵת$, that is, the second sister, and translate — "thou shalt not take a woman besides her sister . . . as long as she (the former) lives", so that the verse would simply contain an emphatic command *never* to marry a second sister (comp. Ps. CIV. 33, $\text{אֲשֶׁר לֹא יִסָּעֵם}$, "I will sing to the Lord as long as I live", that is, always; LXIII. 5; CXLVI. 2): but so poetical an expression would not harmonise with the simple style of these legal enactments; and the word was never so

understood by those to whom Hebrew was a living or a familiar tongue.

19. The matrimonial laws are followed by a few ordinances concerning sexual intercourse which throw a strange light upon the moral condition of the age in which they were promulgated.

Our verse simply forbids connection with a menstruating woman, without alluding either to the ritual consequences or the punishment of such intercourse; this omission is supplied in two other laws, the one enjoining that the man shall be unclean for seven days, the other, that both the man and the woman shall suffer death (XV. 24; XX. 18): whether these commands imply a contradiction or not, and if they do, how it may be historically explained, has been pointed out before (p. 264; see also p. 262; comp. Manu XI. 174).

20. Nor does the author mention, with respect to adultery, the punishment of death, which among the Hebrews as among other Eastern nations, was inexorably inflicted upon both criminals, but he intimates the heinousness of the offence by branding it as a "defilement" (מַעֲלָה). The laws of *stuprum* and *adulterium* were fixed among the Hebrews on intelligible and judicious principles contrasting favourably with the doubtful and wavering practice of other Eastern nations. A betrothed woman was regarded as if she were married (see, in general, Comm. on Exod. pp. 422—425; comp. also *Maim. Mor. Nev.* III. 8; Lane, Mod. Egypt, I. 147, 148; II. 129 sqq.).

PHILOLOGICAL REMARKS. — The

21. And thou shalt not give *any* of thy seed to let *him* pass to Molech, and thou shalt not profane the name

words $\text{לֹא תִתֵּן אֶת זֶרְעְךָ בְּעִבְדוֹ מֹלֵךְ}$ are literally, "thou shalt not give thy discharge, as regards semen", i.e., thy discharge of semen (Sept. $\text{οὐκ ἔσθαι σπέρματός σου}$), or thou shalt have no sexual intercourse; for בְּעִבְדוֹ is, like בְּעִבְדוֹ (XV. 16, etc.), effusion (see p. 258), and is, like it, used with or without $\text{וְ$ (comp. ver. 23; XX. 15; Num. V. 20). The Vulg. renders the whole verse freely, *cum uxore proximi tui non coibis, nec seminis commistione maculaberis.*— $\text{וְלֹא תִתֵּן אֶת זֶרְעְךָ בְּעִבְדוֹ מֹלֵךְ}$, lit. *to become unclean by her*, that is, to commit with her an act of defilement. On the infin. תִּתֵּן with וְ , in the manner of a *nomen verbale*, see Gramm. § XXXIX. 1.

21. The denunciation of the atrocious worship of Moloch, though interrupting the tenour of these laws, harmonises well with the spirit of our chapter; it is solemn and impressive, and points at once to God the Holy one, and to God the Judge, who is sure to punish the heathen practice with personal and national calamity. Children were by the Hebrews burnt to Moloch at all periods, down to the time of Jeremiah and Ezekiel, and later; and therefore, the public teachers who legislated for the new commonwealth organised after the Babylonian exile, still found it necessary to forbid and to inveigh against that iniquity. A subsequent part of this section is even more explicit, and ordains: "Anyone of the children of Israel, and of the strangers that sojourn in Israel, that gives of his seed to Moloch, shall surely be put to death; the people of the land shall stone him with stones; and I will set My face against that man, and will cut him off from among his people; because he has given of his

seed to Moloch, to defile My Sanctuary, and to profane My holy name" (XX. 2, 3). We have discussed this subject, and human sacrifices generally, in a former volume, to which we refer the reader (Comm. on Lev. I. 365—367, 381—396, 401, 402). To the opinions there reviewed, we may add the recent suggestion, that "in the time of Moses" the rites of Moloch "belonged to the region rather of magic than of definite idolatrous worship, and that it may have been practised as a lustral charm, or fire-baptism, for the children of incest and adultery" (*Cook's Holy Bible* on Lev. XX. 2—5). The only argument advanced in support of this view is the circumstance that the prohibition of the service of Moloch is, in this and in a later chapter (the 20th), introduced together with laws of incest and magic; but such an inference can hardly be drawn from disconnected ordinances; and a lustral charm cannot fitly be called "giving one's seed to Moloch".

PHILOLOGICAL REMARKS. — "If matrimony is not held sacred, it easily happens that children are sacrificed"; in this manner Jewish commentators endeavour to establish a connection between this and the preceding verse; similarly Baumgarten (Comment. p. 205), a. o., and Salomon observes: "This verse forbids, as it were, spiritual adultery, revolt and faithlessness against God" (comp. XVII. 7).—The term בְּעִבְדוֹ is elliptical, and means to make the boy pass through the hands of the figure of Moloch, and then to let him fall into the fire within that statue, for the "passing through" the idol's arms was the proper act of dedication (Vulg. aptly, *ut consecratur*; see Comm. on Lev.

of thy God: I *am* the Lord. — 22. Thou shalt not lie with a man as with a woman; it *is* abomination. 23. And thou shalt not lie carnally with any beast to defile thy-

I. p. 381 note 19). It is unnecessary and unwarranted to consider לִהְיוֹת in this and analogous passages as a later and intentional corruption instead of לִהְיוֹת to burn (comp. 2 Ki. XVI. 3, and 2 Chron. XXVIII. 3), as the term הִיָּה is quite appropriate if understood in the sense indicated (comp. Geiger, Urschr. pp. 303—305; Jüd. Zeitschr. IV. 55). Some ancient translators, anxious to remove, or at least to veil, the abominable offence of child-murder in honour of Moloch, either read לִהְיוֹת "to serve" or to worship, instead of לִהְיוֹת (so the Samaritan and the Septuag. καὶ ἀπὸ τοῦ ἐκπαισθῆναι σου οὐ δόσεις λατρεύειν ἄρχοντι), or they understand לִהְיוֹת in the sense of יָצָא, "to fructify, to cause to be with child" (comp. Job XXI. 10), so that the sense would be, "thou shalt not give thy seed to beget children for idolatry", that is, thou shalt not intermarry with the heathen (so the Targ. Jonath. וְיֶזְעַר לֹא יִזְעַר וְיֶזְעַר לֹא יִזְעַר בְּתַלְמוּדֵי לִילְהוֹת לִילְהוֹת, the Syriac וְיֶזְעַר לֹא יִזְעַר אִתְּךָ, and the same is the meaning of an old explanation of our passage quoted but rejected in the Mishnah (Megill. IV. 9), "thou shalt not give any of thy seed to beget a child for Aramaism" (לִילְהוֹת אֲרָמַיִם), the latter term being commonly used to denote idolatry in general (comp. Siphre, III. 171, p. 107^a ed. Friedmann, יִזְעַר לֹא יִזְעַר). The "profanation" of God caused by the worship of Moloch, is self-evident; and we need not search for recondite explanations, which cannot be otherwise than artificial; f.i. "Idolatrous nations will say, the Israelites, well aware of the inferiority of their own God, sacrifice to Him animals, but to another deity

their own sons" (Luzzatto). Michaelis (Suppl. p. 774) unnecessarily takes לִיָּה in the sense of "renouncing or deserting"; and others, not more happily, suppose that it involves "some particular form of profane swearing", with which the service of Moloch is asserted to have been associated (Cook's Holy Bible on Lev. XX. 2—5).

22, 23. The code concludes with two ordinances which, even more than any of the preceding commands, disclose the abyss of depravity into which the Hebrews had sunk, or were apt to sink. The two unnatural crimes emphatically stigmatised as an "abomination" (תִּפְחֵף) and "a pollution" (זָכָה), prevailed in the ancient world to an incredible extent; the first flourished among the Canaanites and the Hebrews (Gen. XIX. 5; Judg. XIX. 22; 1 Ki. XIV. 24), among the Greeks and Romans (Rom. I. 27; 1 Cor. VI. 9), among the Egyptians and Arabs, the Hindoos and Parsees (*Manu* XI. 175; *Vendid.* VIII. 98—106), but was, in nearly all instances, not only abhorred by the legislators, but severely punished, as a rule with the death of both delinquents (XX. 13; Deut. XXIII. 18, 19; *Vendid.* I. c.; *Euseb.* Praep. Ev. VI. 10; etc.); and the second enormity seems to have been so deeply rooted among the Hebrews that it is hardly passed over in any collection of laws; it is denounced in the old "Book of the Covenant"; it is execrated in Deuteronomy which reflects the reforming zeal of the latest kings of Judah; and it is condemned with vehement emphasis in the still later levitical ordinances (Exod. XXII. 18; Deut. XXVII. 21; Lev. XX. 15, 16); both the perpetra-

self therewith; nor shall any woman stand before a beast to have connection with it: it is pollution.

tor and the instrument of his crime were inexorably to be removed by death.

PHILOLOGICAL REMARKS. — Sodomy, the Vendidad observes, is always practised on the instigation of the deva, who are especially addicted to it, and in this manner multiply their own accursed race (*Kleuker*, *Zend Av.* II. 342; *Spiegel*, *Avesta*, I. 146). Solon enacted a series of laws for the protection of boys; he fixed the age of the masters, the school hours, and the rules for the admission of strangers; he ordained that a child who had been hired out by his father, was not bound to support him in his old age, though he must bury him, and observe the usual rites of mourning; and he ordained that a man who ill-treated a free-born boy (ἐλεύθερον παῖδα) should instantly be put to death, or be heavily fined, and on no account whatever was he at any time allowed to fill a higher magistracy or a priestly office, whether at home or abroad, to be judge, advocate, or witness, "since he could not speak with a pure body"; nor was he permitted to be present at the public sacrifices, or to appear within the consecrated boundaries of popular assemblies: if he disregarded any of these injunctions, he was to suffer capital punishment. To avoid dangerous examples, slaves were to be subjected to precisely the same regulations as free citizens (*Aeschin.* *Adv. Timarch.* §§ 9—21, ed. Becker; comp. also *Plutarch*, *Institt.* *Lacon.* c. 7, ὃ ἐκ γὰρ κληθεὶς ὡς ἐπ' αἰσχρὴν πλεονεξίαν ἄγαμος διὰ βίου ᾔην). No less severe was the Roman law; any person who disgraced a boy against his will was put to death; and any one who readily consented was fined in

half his property, and at his death forfeited half of the remainder to the state (comp. *Huschke*, *Jurisprud. Antejustin.* p. 547). — As to coition with beasts, the testimonies of both ancient and modern writers are abundant; and as they refer chiefly, though by no means exclusively, to Egypt, where the atrocious vice was palliated and encouraged by superstition, we may understand the necessity of cautioning the Hebrews again and again, especially as these also, like other ancient nations, long adhered to the worship of "goat-deities" (στυγῆ, *XVII.* 7); comp. *supra* p. 345; *Pindar*, *Fragm.* III. 122, ed. Heyne (Μένδῃτα παρὰ κρημνὸν θαλάσσης, ἔσχατον Νεῖλου κέρασ, αἰγιβάται δὲ θι τράγοι γυναιξὶ μίσγονται); *Aelian*, *Nat. An.* VII. 19 (ἀκρόλαστα δὲ κυνοκέφαλοι τε καὶ τράγοι, καὶ μέντοι καὶ ὁμιλεῖν γυναιξὶ φασὶν αὐτούς . . . καὶ κύνες δὲ γυναιξὶν ἐπιτολμᾶν ἐλέχθησαν. Καὶ μέντοι καὶ κριθῆναι λέγεται γυνὴ ἐν τῇ Πώμῃ μοιχείας ὑπὸ τοῦ γῆμαντος, καὶ ὁ μοιχὸς ἐν τῇ ὀκτῇ κῶων εἶναι ἐλέγετο. Ήκουσα δὲ κυνοκεφάλους καὶ παρθένους ἐπιμανθῆναι καὶ μέντοι καὶ βιάσασθαι); *Plut.* *Gryll.* c. 5; *Sonnini*, *Voyage*, III. 297 (C'est sur les rives fangeuses du Nil que les crocodiles déposent leurs oeufs; c'est là aussi qu'ils s'accouplent. La femelle, qui dans l'accouplement est renversée sur le dos, a beaucoup de peine à se relever. Croira-t-on que dans la haute Egypte il se trouve des hommes qui . . . profitent de cette position forcée de la femelle du crocodile, mettent au fuite le mâle, et le remplacent dans de monstrueux ébats?); *Manu* XI. 174 ("whosoever wastes that which might have produced a human being, upon irrational beasts, must perform the penance of *santapana*; for a dis-

24. Do not defile yourselves with any of these *things*; for by all these the nations are defiled which I cast out before you. 25. And the land was defiled, and I visited its iniquity upon it, and the land vomited out its inhabitants. 26. You shall therefore keep My statutes and My judgments, and you shall not commit any of these abominations, *neither* the native nor the stranger that sojourns among you; 27. For all these abominations have the men of the land done who *were* before you,

graceful act with a cow the penance ought even to be much severer": the same code forbids several other excesses not mentioned in the laws of the Pentateuch, and probably not unusual among the lower and uneducated classes of the Hindoos, XI. 171, 174); *Yâjnâv.* II. 289; *Khorda Avest.* XLVL 21 (*Spiegel*, *Avesta*, III. p. 217); *Virgil*, *Aen.* VI. 24 (*Hic crudelis amor tauri, suppositaque furto Pasiphaë mixtumque genus prolesque biformis Minotaurus inest*, etc.); *Ovid*, *Ars Am.* II. 23, 24 (*semibovemque virum semivirumque bovem*); *Her. X.* 101, 102; *Philo*, *De Spec. Legg.* III. 8 (ὡς λυττᾶν . . . ἀλόγους ζώους, ὡς περ ἐν Κρήτῃ πασι τὸ παλαιὸν τὴν γυναῖκα Μινω τοῦ βασιλέως, ὄνομα Πασίφαγι, ταύρου ἐρασθεῖσαν κτλ.).—The absolute case *מִכָּל אֵלֶּיךָ* (ver. 22) qualifies the preceding verb *מִכָּל אֵלֶּיךָ* does in XV. 18 (see p. 260).—*שָׁכַב*, kindred with *שָׁכַב* (comp. Ps. CXXXIX. 3), is properly *to crouch* or *to lie down*, then *to lie* or *sleep with* some one (Onk. *בָּרָא שָׁכַב*), and is construed with the accusative, like its synonym *נָשָׂא* (ver. 22; XV. 18; see p. 260); comp. XIX. 19; XX. 16; Sept. and Vulg. veiling the sense have *βιβασθῆναι*, nec miscebitur ei; while Ebn Ezra a. o. connect the term with *מִכָּל אֵלֶּיךָ* ("ex figura quam corpora eorum sic copulata efformant, ad quadratam non nihil accedente", *Gussel.* quoted by Rosenm. in loc.).—*מִכָּל אֵלֶּיךָ* is *pollution*,

from *בָּלָא* in the sense of *staining* or *blotting*; Sept. *μυσαρόν*, and in XX. 12 *ἡσβετήχασαι*; Vulg. *scelus*; Bashi *מִכָּל אֵלֶּיךָ שָׁכַב*, and in XX. 12 *מִכָּל אֵלֶּיךָ*; others simply *confusion* (Bashi, *מִכָּל אֵלֶּיךָ שָׁכַב* וְעַתָּה אֵין אִם וְעַתָּה אֵין אִם, and in XX. 12 "the seed of the father is mixed up with that of the son"; Luz-zatto, *turpe mescolanza*; comp. also Ebn Ezra in loc.), or *perversion* of the Divine order of things (Keil, a. o.); Luther Gräuel, and in XX. 12 Schande (Schandthat).

24—30. A most impressive warning concludes this group of laws; it evidently points back to the introductory exhortation, which resembles it in import, though not in power (vers. 2—5); and it applies, therefore, not merely to the iniquities forbidden immediately before (vers. 19—23), but to the ordinances of the whole chapter, which forms a little code in itself: the legislator stamps the neglect of the matrimonial restrictions as an offence not less culpable and fatal than adultery, human sacrifice, bestiality, and every other execrable crime; and he takes care to enforce: "Do not defile yourselves *with any of these things* (*מִכָּל אֵלֶּיךָ*); for by all these the nations are defiled". Nothing would, therefore, be more arbitrary or more foreign to our section, than to make a distinction in the importance of the different laws, and to assume that, taken in

and the land was defiled; 28. Lest the land vomit you out, when you defile it, as it vomited out the nations that *were* before you. 29. For whosoever shall commit any of these abominations, the souls that commit *them* shall be cut off from among their people. 30. Therefore shall you keep My ordinance, that you do not act according to *any one* of these abominable statutes, which were acted upon before you, and that you do not defile yourselves therewith: I *am* the Lord your God.

their totality, they are meant to be binding upon the Israelites only, whereas other nations have merely to observe a certain portion of them, such as the prohibition of marriage between parents and children, and between brothers and sisters (so f. i. *Ebn Ezra* on ver. 18; *Michael. Mos. R.* § 112; *Eheges.* §§ 119—126). Though gradations are established in the penalties of the various offences (ch. XX.), none are made in the description of the offences themselves; the enumeration is uniform, and the same cautions and menaces apply to all. The holy land is the special abode of God and the place of His Sanctuary; and as it would be desecrated by any act of immorality committed within its boundaries, the stranger is included in the ordinances like the native Hebrew; and it is for this reason that the moral and religious obligations of both

were, in the course of time, more and more equalised.

PHILOLOGICAL REMARKS.—The verbs *וָעִלְלָהּ*, *וָעִלְלָהּ*, etc. (ver. 25) have the signification of the past, not of the future or present (see on vers. 1—5; *Eng. Vers.* “and the land is defiled, therefore I do visit”, etc.). Keil observes, “The preterites are prophetic, and the diction is poetical” (similarly Brentano, Salomon, a. o.); but how can either prophecy or poetry be expected in a series of penal laws? Comp. also *Michael. Orient. Bibl.* II. 214.—*וָעִלְלָהּ* *וָעִלְלָהּ* (ver. 28) Vulg. ne evomat, Targ. Jon. *וָעִלְלָהּ* *וָעִלְלָהּ*, Onk., Rashi *וָעִלְלָהּ* *וָעִלְלָהּ*; others less distinctly, as Sept. *ὅνα μὴ προκοχθίσῃ* (lest He be wroth).—*וָעִלְלָהּ* is to be taken collectively “the nations” or “the people” (*וָעִלְלָהּ* *וָעִלְלָהּ* ver. 27; comp. XX. 23).—*וָעִלְלָהּ* (ver. 27) instead of *וָעִלְלָהּ*, see Gramm. § XX. 1. — In ver. 29 the subject is emphatically repeated (*וָעִלְלָהּ*).

CHAPTER XIX.

SUMMARY.—This section contains a variety of moral and ceremonial precepts admitting of no systematic classification, namely, after a general exhortation (ver. 2), 1. a command on filial duty (ver. 3^a); 2. on the observance of the Sabbaths (ver. 3^b); 3. against idolatry (ver. 4^a), and against worship of images (ver. 4^b); 4. on thank-offerings (vers. 5—8); 5. on the portions to be left for the poor in gathering the produce of fields and vineyards (vers. 9, 10); 6. on truthfulness and honesty (ver. 11); 7. against perjury (ver. 12); 8. against oppression and violence (ver. 13^a); 9. against delay in paying the labourer's hire (ver. 13^b); 10. on the consideration due to the deaf and the blind (ver. 14); 11. on judicial justice

and fairness (ver. 15); 12. against slander and bearing false witness (ver. 16); 13. on the love we owe to our fellow-men (vers. 17, 18); 14. against unnatural combinations of beasts, of seeds, and of stuffs for garments (ver. 19); 15. on punishing and expiating seduction of a maid-servant (vers. 20—22); 16. on the use of the fruit of newly-planted trees (vers. 23—25); 17. against eating blood (ver. 26^a); 18. against enchantment and magic (ver. 26^b); 19. against mutilating the hair or body (vers. 27, 28); 20. against unchastity (ver. 29); 21. on keeping the Sabbaths and reverencing the Sanctuary (ver. 30); 22. against necromancers and wizards (ver. 31); 23. on respect due to old age (ver. 32); 24. on kindness towards the stranger (vers. 33, 34); 25. on probity in judgment, in meteyard, weight, and measure (vers. 35, 36): and then follows a brief conclusion (ver. 37).

1. And the Lord spoke to Moses, saying, 2. Speak to all the congregation of the children of Israel, and

H. This remarkable chapter is perhaps the most comprehensive, the most varied, and in some respects the most important section of Leviticus, if not of the Pentateuch; it was by the ancient Jews regarded as an epitome of the whole Law; it was adapted and paraphrased by the best gnomic writers, such as Pseudo-Phocylides; and it has at all times been looked upon as a counterpart of the Decalogue itself. It includes the chief moral laws of all the earlier codes, both of Exodus and Deuteronomy, and it exhibits at a glance the height of that ethical and spiritual refinement at which the Hebrews arrived within the Biblical times. But though it is the latest in date, it was compiled independently of those earlier codes, from which it differs partly in spirit and partly in style. Its chief defect is a complete want of arrangement; for it is irregular almost to confusion, and so desultory that its practical value as a moral guide is not immaterially diminished. In this respect especially it contrasts unfavourably with the Decalogue, which, beginning with man's duties towards God, advances to his obligations towards his fellow-

men, filial obedience forming the link between both, while each half rises to a climax, and both parts to a certain extent correspond with each other: thus the Decalogue is so admirably systematic in structure that its teaching was readily and universally received as the cornerstone of a righteous life.

PHILOLOGICAL REMARKS. — The chapter contains parallels to nearly every one of the ten Commandments, but in terms almost entirely original; viz. I. Existence and Unity of God, ver. 4^a ("turn not to the idols... I am the Lord your God"); II. Against Images and Idols, ver. 4^b ("do not make to yourselves molten gods"); III. Against Perjury, ver. 12 ("you shall not swear by My name falsely, so that thou profane the name of thy God"); IV. Holiness of the Sabbath, vers. 3, 30 ("you shall keep My Sabbaths"); V. Veneration of Parents, ver. 3 ("you shall fear every one his mother and his father"); VI. Against Murder, ver. 16 ("thou shalt not rise up against the blood of thy neighbour"); VII. Against Adultery, ver. 20 ("let not the land become unchaste — *רָאָה* —, so that the land become full of wickedness"; comp.

say to them, you shall be holy, for I the Lord your God *am* holy.

ver. 20); VIII. Against Theft, ver. 11 ("you shall not steal"); IX. Against false Witness, vers. 11, 16 ("you shall not lie one to another"; "thou shalt not go about slandering among thy people"); and though the chapter contains no exact equivalent to the tenth Commandment — against covetous desires — it has some other and even more comprehensive injunctions which include that precept (comp. ver. 18, "thou shalt love thy neighbour as thyself"). — The promiscuous nature of the contents will be more striking if we attempt some sequence in the arrangement, like the following: — Vers. 1, 2 (introduction); 4^a (first Commandment), 26^b and 31 (against enchantment and witchcraft); 4^b (second Com.); 12 (third Com.); 3^b, 30 (fourth Com.); 3^a (fifth Com.); 32 (reverence of old age); 16^b (sixth Com.); 29, 20 — 22 (seventh Com.); 11^a, 13^a (eighth Com.); 11^b, 16^a (ninth Com.); 17, 18 (love of the neighbour); 14 (regard for the blind and the deaf); 9 and 10 (charity towards the poor and the stranger at harvest time), 33 and 34 (affectionate treatment of the stranger generally), 13^b (ready payment of hire to the labourer); 15, 35^a (judicial justice); 35^b, 36 (honesty and good faith in weight and measure); 27, 28 (against mutilating or disfiguring the body); 26^a (against eating blood); 23—25 (on the early fruit of newly planted trees); 5—8 (on thank-offerings); 19 (against mixing different kinds of seeds, threads, and animals); 37 (conclusion). — It is impossible to imagine that this miscellany of ordinances should have been written down by the same author, whether at the same or at different times; we must suppose that it was gradually

collected, enlarged, and finally incorporated in Leviticus — unfortunately in a very inappropriate place, since it separates two chapters, the 18th and the 20th, which treat of the identical subject, the laws of chastity; and it thus increases the inorganic dismemberment of the Book (see Comm. on Lev. I. p. XVIII). — "This section", Jewish Rabbins teach, "was read in public, because it includes most of the fundamental precepts of the Law" (שְׁמַרְתֶּם עִצְּתִי לֵבְיִיתִי בְּיָמֵי הַשָּׁבָע, or "because the Ten Commandments are comprised in it" (שְׁמַרְתֶּם עִצְּתִי בְּיָמֵי הַשָּׁבָע, Midr. Rabb. Lev. XXIV. 3). Sagacious Rabbinical expositors, partially following older traditions, have endeavoured to point out a logical connection between the various commands. A few specimens will suffice. The fruit of newly planted trees must only be eaten when a part of it has been offered on the altar; so must meat not be eaten before the blood of the animal has been sprinkled on the altar (vers. 23—26). Or, Israelites do not mourn on Sabbaths, nor High-priests when officiating in the Temple; necromancers (חֹזְעֵי מֵתִים) consult the dead, old men are physically like the dead, and strangers are helpless like old men (vers. 30—33; see *Ebn Ezra* in locc.). — No less artificial are the kindred efforts of recent theologians, such as Baumgarten (Lev. pp. 206—212), Kell, a. o. Berthéau (Gruppen, pp. 201—206) insists indeed that our chapter contains just three decads of laws, but he admits that "a fixed plan in the arrangement is not discoverable, and was impossible on account of the heterogeneous nature of the commands".

3. The section begins with that

3. You shall fear every man his mother and his

doctrine which may well be considered as the ripest fruit of Hebrew culture, and which raises the Hebrew creed high above the tenets of other ancient nations: — "You shall be holy, for I the Lord your God am holy". Thus guided, man's actions flow from the noblest motive and are directed to the loftiest aim; they are almost hallowed into priestly functions, and a Divine element is infused into the common concerns of life. Such a principle necessarily leads to the highest forms of morality, and the following laws prove that this notion, abstract and subtle as it might appear, is well calculated to engender practical piety and the tenderest humanity. It is indeed introduced in other parts of the Pentateuch also; but it is usually connected with ceremonial purity; while in our chapter it is made the foundation of a moral code which is of universal application, and is therefore expressly addressed to "all the congregation of the children of Israel" (כָּל בְּנֵי יִשְׂרָאֵל; see *supra* pp. 106, 184; comp. XI. 44; XX. 26; Exod. XXII. 30; Deut. XIV. 2, 21; also Exod. XIX. 6; Lev. XX. 7; Deut. VII. 6; XXVI. 19; XXVIII. 9; and the illustrations in *Maim. Mor. Nev. I. 54; III. 33, 47*).

3. The ordinances commence with a group of *religious laws* (vers. 3—8), the first of which relates to filial obedience — "You shall fear every one his mother and his father". Precedence is given to this command, because parents shared, in some measure, Divine honours, and children were taught to regard them as God's earthly representatives; hence in the Decalogue the same law forms a part of the First Table, which comprises man's duties towards God; and in another remarkable composition, de-

tailing the crimes which were branded on Mount Ebal with a public malediction, it follows immediately after the prohibition of idolatry (Deut. XXVII. 16). To the observations made before on this subject (Comm. on Exod. pp. 363—366) we add here a few supplementary remarks. It might seem strange that filial disrespect on the part of Ham brought down a curse not only upon himself, but upon his descendants for ever (Gen. IX. 25); but parallels are not wanting among Eastern nations. In China, such an offence causes the utmost alarm throughout the province in which it has been committed; the relations of the culprit are punished like himself; and the Mandarin, whose magistracy has been disgraced by the misdeed, is often compelled to retire. In fact, in China "man's duties are not merely based upon, they are comprehended under filial duty"; fathers are permitted to sell the children with whose conduct they are dissatisfied; they retain their authority, not merely, as among the Hebrews and other nations, till the children's marriage, but during their whole lifetime; and they can at pleasure compel their sons to marry certain women or to divorce them. Among the Hindoos, parents may still sell their children to strangers; and heavy penalties are imposed upon the person who comes forward as witness or as bail in a law-suit between father and son (*Yājñav. II. 239*). In Greece, the father had the right to decide upon the life or death of his child within six days of its birth, though Solon and other legislators considerably limited the privileges of parents for the protection of the children. The Roman law of the Twelve Tables gave to the father

father; and you shall keep My Sabbaths: I *am* the Lord your God.

unrestricted power over the life and property of their children — “*patri familias jus vitæ et necis in liberos esto*”; and “*quicquid filius acquirit, patri acquirit*”—; and children were expected to accord almost Divine honours to their departed parents: “When I am dead”, wrote Cornelia to her son Gracchus, “thou wilt sacrifice to me and invoke thy goddess-mother” (*Corn. Nep. Fragm.*). There was a terrible earnestness in the warning that men should “fear” (פָּחַד) their parents; for a previous command incorporated in Deuteronomy (XXI. 18—21) ordained, that if parents had vainly endeavoured to bring a rebellious son back to his duty, they were to take him by force before the elders of the people, and their simple declaration that he had been heedless of their admonitions sufficed to bring down upon him the death of lapidation by the whole community: the Chinese tribunals also require in such cases no proof, but condemn the child on the father’s statement; and among the Parsees, a son who has three times shown disobedience to his father, forfeits his life (*Spiegel, Avesta*, II. p. XXXII; *Du Halde, Chine*, III. 155). That fathers were entirely at liberty to act with their children as they pleased, may be gathered from the history of Abraham and Jephthah; and even at so late a time as that of Nehemiah—or about the period when our chapter was compiled—they were entitled to sell them as slaves, or to mortgage them for their debts (*Nehem.* V. 5; comp. *Exod.* XXI. 7; *Num.* XXX. 6; 2 *Ki.* IV. 1; *Isai.* L. 1; *Matth.* XVIII. 25; see also the beautiful remarks of Plato on filial affection in his “*Laws*” IV. 8; *Heliod. Aeth.* I. 13; *Diog. Laert.*

VIII. 23; *Priaux, Quaestiones Moisaicae*, pp. 232—236).

The injunction of filial obedience is, as in the Decalogue, strangely coupled with the command to keep God’s holy days; but here the “Sabbath” of the Decalogue is changed into “the Sabbaths” (שַׁבָּתוֹת); for now the system of Hebrew festivals was completely developed — the agricultural, the historical, and penitential —, and they had become the most effectual means of cementing the new commonwealth and of permanently securing to it a specific and national character (see *supra*, pp. 266 *sqq.*; comp. ver. 39). Phocylides, in his didactic poem, thus joins the two precepts: πᾶν θεὸν τίμα, μετέπειτα δὲ αἰὶο γονέας (ver. 8).

The verse concludes, “I am the Lord your God” — which words point to God at once as the Holy One and as the Judge; they are meant both to encourage and to awe, both to exhort the Hebrews to vigilance, and to menace them with punishment. They occur frequently in this chapter, of which they are characteristic; but they have not always the same powerful emphasis.

PHILOLOGICAL REMARKS. — Jewish expositors deem it necessary to explain why in our passage the first place is given to the mother, and in the fifth Commandment to the father, and they offer this reason that, as a rule, children fear the father, but love the mother more particularly; they contend that fearing parents means, not to sit or to stand in the place set apart for them, not to speak in their stead, and not to contradict them; and that honouring parents consists in providing for them food, drink, and raiment, and in accompanying

4. Turn not to the idols, nor make to yourselves molten gods: I *am* the Lord your God.

5. And if you offer a thank-offering to the Lord, you shall offer it for your acceptance. 6. It shall be eaten the *same* day you offer *it*, and on the morrow; and that which remains until the third day shall be burnt in the fire. 7. And if it yet be eaten on the third day, it is an abomination, it shall not be accepted; 8. And *every one* that eats it shall bear his iniquity, because

them home and from home (comp. *Talm.* Kethuv. 1 08^a; Kiddush. 31^b, 32^b; *Siphra* fol. 87^a; *Mechilta* fol. 77 ed. Weiss; *Yoreh Deah* § 240); and they account for the double command of our verse by paraphrasing it thus: "Although I warn thee to fear thy father, yet if he should order thee to profane the Sabbath, thou must not listen to him" (comp. *Talm.* Bab. Mets. 32^a; *Siphra* l.c.).—Though the plural *יָמֶיךָ* is in Exod. XXXI. 13 undoubtedly employed in the sense of "Sabbath", it seems in our passage to signify "Days of rest", or festivals in general.

4. The preceding verse corresponds with the fourth and fifth, this verse with the first and second Commandments, and the combination is quite logical: God is one and all-powerful, and God is incorporeal; it is therefore as sinful and perverse to worship many deities, all of whom are "non-entities" (*עֲרֵבֵי*), as it is to represent them by images and molten figures; the latter crime is more explicitly denounced among the maledictions of Mount Ebal: "Cursed be the man that makes any graven or molten image, an abomination to the Lord, the work of the hands of the artificer, and puts it in a secret place: and all the people shall answer and say, Amen" (Deut. XXVII. 15; comp. Exod. XXXIV. 17; see Comm. on Lev. I. pp. 397 sqq.; also *Talm.* Shabb.

149^a; *Maimon.* Avod. Zar. II., III.; *Yor. Deah* § 141).

5—8. Now follows, abruptly, a law concerning thank-offerings (*תְּנוּחָה*), which seems to have been derived from some older document, since it is less stringent than a similar ordinance embodied in Leviticus (VII. 15—18); it disregards, or is unacquainted with, the division of that class of sacrifice in praise-offerings (*זֶבַח תְּנוּחָה*) and the less holy vow and voluntary offerings (*זֶבַח אֵלֶּיךָ*); and it uniformly permits the flesh to be eaten both on the day of the sacrifice and on the following day, whereas the more rigorous law restricts the time for the consumption of praise-offerings to the day of the sacrifice itself, under penalty of excision. This subject, and the probable reasons of this severe law, which was not merely directed against the eating of "old and putrid meat", but was prompted by the idea of the holiness of sacrifice, have been discussed in another place (Comm. on Lev. I. 40, 211, 245—248, 547—551; see *infra* XXII. 21—23).

PHILOLOGICAL REMARKS.—On *תְּנוּחָה* for your acceptance (ver. 5), that is, so that the offering be favourably received by God, see notes on I. 3, Comm. on Lev. I. 475 (Rashi explains here and in XXII. 19 *אֵלֶּיךָ* or *אֵלֶּיךָ אַפְסֵימֶנְתָּ* *apaisement*, for atonement, which sense is too specific; and Ebn

he has profaned the hallowed thing of the Lord; and that soul shall be cut off from among his people.

9. And when you reap the harvest of your land, thou shalt not wholly reap the corners of thy field, nor shalt thou gather the gleanings of thy harvest. 10. And thou shalt not glean thy vineyard, nor shalt thou gather the scattered *grapes* of thy vineyard; thou shalt

Ezra, strangely, of your own free will, not by compulsion); and on לֹא תִקַּח and לֹא תִקַּח (ver. 7), see notes on VII. 18, Comm. on Lev. I. 550, 551. In VII. 18 the Sept. translates לֹא תִקַּח literally by μὴ ἀφαιρῇς, but in our passage ἀφαιρῶν ἐστί "it ought not to be offered up", that is, probably, if it is the intention of the worshipper to eat the flesh on the third day, the victim ought not to be sacrificed, which is in accordance with the Jewish acceptance of the words לֹא תִקַּח (see Comm. on Lev. I. c.; *Frankel*, Vorstudien zur Septuag. p. 190). The Vulgate, questionably referring לֹא תִקַּח to the worshippers, translates *profanus erit*, and so Luther, so ist er ein Gräuel. — On the distributive singular in לֹא תִקַּח and לֹא תִקַּח after the plural in לֹא תִקַּח (ver. 8) "and those who eat of it— he shall bear his iniquity", i. e., everyone who eats of it, see Gramm. § 77. 2; comp. Exod. XXXI. 14 (לֹא תִקַּח); etc.

9, 10. The next command refers to what may be called the legal rights of the indigent, which were precisely defined by Hebrew legislators, and which, withdrawn from the arbitrariness of individuals, were controlled by the community. Thus they passed from the purely ethical to the civil and penal sphere. And this was both their excellence and their weakness; they effectually provided for the poor, and prevented abject and helpless beggary; but by restricting spontaneity and personal goodwill, and by imposing as a compul-

sory duty what is a double blessing only when exercised freely and generously, they converted charity into a poor-rate, analogous to that by which modern communities have found it necessary to protect the helpless. Yet being partly moral and partly political, they must be considered practical in the highest sense (see Comm. on Exod. pp. 428—435).

Our verses seem to be a thoughtful extension of former enactments; they include both the produce of corn-fields and of fruit-trees, and they apply alike to the stranger and the poor, the orphan and the widow (comp. XXIII. 22; Deut. XXIV. 19—22); but they derive also light from those earlier provisions; the general injunction, "Thou shalt not gather the gleanings of thy harvest", is elsewhere explained, "When thou hast forgotten a sheaf in the field, thou shalt not go back to fetch it"; and we find there this reason adduced, "For thou shalt remember that thou wast a bondman in the land of Egypt; therefore I command thee to do this thing" (Deut. I. c.) — which pathetic appeal to the painful experience of the past is in another part of our chapter also employed for exhorting the Hebrews to kindness and hospitality (ver. 34; comp. Exod. XXIII. 9; Deut. XV. 15; see also Lev. XXV. 5, 6, 35; Deut. XIV. 28, 29; XVI. 11, 12; *Phocylid.* vers. 22—30). In the Mishnah, the extent of the "corner" (קַרְיָה) to be left for the poor is enumerated among those things which,

leave them for the poor and for the stranger: I *am* the Lord your God.

likecharity, filial duty, and the study of the Law, "have no limit" or "fixed measure" (שׁוּרֵר); but it is never to be less than the sixtieth part of the field, and the size of the property and the number of the local poor are always to be taken into account. The law applies to such edible produce of cultivated land, which is gathered in at the same time, and is preserved or garnered up, especially to all kinds of grains and legumes, to fruit-trees, such as the vine, the olive-, the nut-, the almond-, the pomegranate-, and the palm-tree; and some other plants, as onions and garlick. In addition to this, the most minute instructions are given with reference to every conceivable contingency that may arise in connection with this precept; one specimen may suffice: "What is gleaned? (קָצִיר). If a person, in cutting off or tearing out a handful of ears, is pricked by a thorn, and thus lets the stalks fall to the ground, they are not considered as gleaned, and belong to the proprietor of the field. Again, that which falls from the hand and from the sickle is left to the poor; but that which falls behind the hand and behind the sickle, belongs to the proprietor. That which falls before the extreme point of the hand and before the extreme point of the sickle, is, according to Rabbi Ishmael, given to the poor, but can, according to Rabbi Akivah, be claimed by the proprietor" (*Mishn.* Peah IV. 10; comp. I. 1 sqq.; *Talm.* Bab. Kam. 94; Macc. 16^b; *Maimon.* נְזִירֵי עֵץ c. I; *Yor. Deah* § 332). — In heathen times, it was customary among the German husbandmen, when cutting their corn, to leave on the field a heap of sheaves, adorned with rib-

bons, as an offering to the gods (comp. *Grimm*, Deutsche Mythologie, p. 32).

PHILOLOGICAL REMARKS. — קָצִיר for קָצִיר, comp. XXIII. 22; see Gramm. § LIV. 1^a. Irregular combinations of the singular and plural, as in קָצִיר and קָצִיר, are in Hebrew a frequent form of anallage (comp. vers. 12, 15, 26, 33; esp. XX. 19 and notes in loc.; see Gramm. § LXXVII. 21. 2). The construction לֹא תִשָּׂא לִבְּךָ לִבְּךָ lit. "thou shalt not complete....in reaping", that is, thou shalt not wholly reap, the finite verb having adverbial force, is not unusual (see Gramm. § 103. 1), but has been misunderstood by some interpreters, as St. Jerome, who renders non tondebis usque ad solum superficiem terrae; and similarly in XXIII. 22, non secabitis usque ad solum; Luther, ihr sollt es nicht gar auf dem Felde einschneiden, etc. In Deuteronomy (XXIV. 20) the command is expressly applied to olive-plantations (זֵיתִים), which may be included in the term קָצִיר used in our passage (comp. Judg. XV. 5, כָּרַם). — קָצִיר from קָצַר, kindred with קָצַר, קָצַר, and קָצַר, to scatter, is properly "the scattering", hence קָצִיר קָצִיר is "the scattering of thy vineyard", that is, the grapes which after the regular vintage lie about on the ground scattered; and this sense is even more appropriate for "beating off" the fruit of the olive trees (Deut. XXIV. 20, כָּרַם); Onk., Jonath., and Syr., קָצִיר קָצִיר that which has fallen off from thy vineyard (comp. *Mishn.* Peah IV. 10; VII. 3, אֵת הַפֵּתִיחַ הַבָּשָׂה, and אֵת הַפֵּתִיחַ הַבָּשָׂה; *Talm.* Bets. 2^b); Vulg. racemos et grana decidentia; Sept. simply τὰς ῥῶγας.

11. You shall not steal, nor deal falsely, nor lie one to another.

12. And you shall not swear by My name falsely, so that thou profane the name of thy God: I *am* the Lord.

11. Theft has before been treated from various points of view — as a moral transgression in the Decalogue, as a penal offence in the “Book of the Covenant” (Exod. XXI. 37—XXII. 3), and as a theocratic trespass in the sacrificial codes of Leviticus (V. 21 *sqq.*): on reference to the remarks made on those passages, it will be seen how the laws on the violation of the rights of property gradually became more defined, and were surrounded with greater religious solemnity (Comm. on Exod. pp. 372, 413—417; on Levit. pp. 517—525). In our context the command “You shall not steal” is simply a moral warning, as nearly all the injunctions of this section. Hebrew teachers extended it to receiving and purchasing goods that are known, or may be presumed, to have been stolen (comp. Prov. XXIX. 24; *Mishn.* Bab. Kam. VII. 1 *sqq.*; *Talm.* Bab. Kam. 118; Sanh. 87; *Maimon.* Hilch. Genev. c. I.; *Chosh. Mishp.* § 348).

It was certainly not superfluous to enforce truthfulness, for which quality Eastern nations are not conspicuous: a remarkable exception were the ancient Persians, among whom, as we know from various sources, lying was considered the most disgraceful misdemeanour, and next to it contracting debts, because this easily leads men to tell untruths (comp. *Herod.* I. 91; *Spiegel,* *Avesta*, I. p. 91; II. p. cxvi.); we can, therefore, well understand why our section, finally revised in the Persian period, lays such stress on the duty of veracity, and impresses it upon

the Hebrews in many different forms (comp. vers. 16, 35, 36; also Isai. LXIII. 8).

PHILOLOGICAL REMARKS. — The words *לֹא תִשָּׁדֵן וְלֹא תִשָּׁבֵעַ* are by Jewish tradition referred to defalcations of trusts and deposits, and they have been similarly rendered by Phocylides (ver. 13) — Παρθισ(την) ψευδῆ φεύγειν, τὰ δίκαια βραβεύειν (for so, it seems, the first word must read, according to Bernays and others, instead of παρθεν(την), virginity; comp. *Talm.* Shevuoth 36^b; *Maim.* Hilch. Shevuoth I. 7; *Heilpern,* Mitsv. Hash. p. 36).

12. Perjury, the worst and most detestable form of falsehood, follows not illogically upon the preceding command, to which it is indeed closely joined (*לֹא תִשָּׁבֵעַ*); as an iniquitous profanation of the Divine name, it was forbidden in the first part of the Decalogue, and menaced with the direct punishment of heaven (see Comm. on Exod. pp. 352—355); we will only remind the reader in this place of the extreme reluctance felt by the Persians to any oath whatsoever, and their deep abhorrence of false oaths, since “the speech of a pure man should only be yes and no” (comp. *Spiegel,* *Avesta*, II. p. lvi). Phocylides also expresses our verse with great emphasis (Μὴ δ’ ἐπιορκήσῃς μήτ’ ἀγνῶς μήτ’ εἰκατός· ψεύδορ-κον στυγέει θεὸς ἀμάρτορος ὅστις ὁμῶς-ει); and Jewish tradition applies it especially to heedless oaths (*Talm.* Shevuoth III. 9 *sqq.*; *Maimon.* Hilch. Shev. I. 1—6; *Yoreh Deah* § 236).

13. 'Thou shalt not oppress thy neighbour, nor shalt thou rob him.

Thou shalt not keep with thee over night the wages of the hireling until the morning.

14. Thou shalt not curse the deaf, nor put a stumblingblock before the blind; and thou shalt fear thy God: I *am* the Lord.

13. As theft and fraud are abominations, so are oppression and violence which, according to a levitical author, must be expiated by increased restitution of the property and a trespass-offering (comp. V. 21).

With the general injunction of honesty and fairness, a humane law is coupled which suggested itself to the Hebrews long before; for it is also found in Deuteronomy, where it is enforced not only more fully but more solemnly: — "Thou shalt not oppress a hired servant that is poor and needy, whether he be of thy brethren, or of thy strangers that are in thy land within thy gates; on his day thou shalt give him his hire, and the sun shall not go down upon it; for he is poor, and he longs for it, lest he cry against thee to the Lord, and it be sin to thee" (Deut. XXIV. 14, 15). The admonition, thus repeatedly and strongly impressed, seems, at least in later times, to have been heeded (comp. Matth. XX. 8), and is indeed recommended by every consideration of expediency, justice, and kindness (comp. also Prov. III. 28; Jerem. XXII. 13; Mal. III. 5; *Philo*, De Humanit. c. 7). In the reproduction of this command, Phocylides is less happy and faithful than usual (ver. 19, Μισθὸν μισθῶσαντι δίδου μὴ, θύλῃς κέρητρα); but Rabbinical teachers, always eager to render the laws of charity most effectual, interpreted it in the most generous spirit, and declared that "he who treats a hireling with harshness sins as

grievously as if he were taking away his life, and violates many laws" (comp. *Talm. Bab. Mets.* 110^b—113^a; *Maim.* Hilch. Sechiroth XI; *Choshen Mishp.* §§ 89, 339).

14. Persons stricken with some defect which renders them helpless, stand under God's special protection; it would be heartless and impious to "curse the deaf", who is unaware of the attacks made upon him, which may involve calumnies, and which he is unable to rebut (comp. Ps. XXXVIII. 14, 15); and it would be cruel indeed to "put a stumbling block before the blind", to whom every right-minded man should be eager to "serve as eyes" (Job XXIX. 15); a crime like the latter was publicly cursed on Mount Ebal (Deut. XXVII. 18); and in both cases the Law warns the offender, "Thou shalt fear thy God", who hears if there is no other ear to listen, who sees if there is no other eye to see, and who, to punish thy wickedness, can strike thee with the same afflictions (comp. Exod. IV. 11): hence the same menace, "Thou shalt fear thy God", is repeated with respect to the treatment of old and infirm men, of poor persons, of dependents, and servants (ver. 32; XXV. 17, 36, 43). *Philo* inveighs vehemently against the inhumanity here forbidden, and observes that those who are guilty of it, "would not spare even the dead, in the excess of their cruelty, but according to a common proverb, would slay the slain again" (De Justit. II. 10). Jewish tradition

15. You shall do no unrighteousness in judgment; thou shalt not favour the person of the poor, nor countenance the person of the powerful; in justice shalt thou judge thy neighbour.

16. Thou shalt not go about slandering among thy

applies the second command of our verse figuratively to insidious advice or false information given to a man who is in ignorance or perplexity, whether on some question of learning or on some matter of business (comp. *Talm. Avod. Zar.* 15^b; *Maim. Hilch. Botseach*, XII; *Heilpern* l. c. p. 37). The law of *Manu* inflicts a pecuniary fine upon any one who taunts a person with being one-eyed or lame or deformed (*Manu* VIII. 274).

15. In a series of precepts enjoining tenderness and commiseration, it was doubly necessary to insist upon the strictest and most rigid justice, the main pillar of society and of national life; it was especially necessary to warn the judges against ill-advised leniency towards humbler offenders; the feeling of charity was not to confound the notions of right and wrong, and private benevolence was not to pervert public morality. How great and remarkable must have been the refinement of the legislator who deemed it his duty to check the impulses of charity, because he feared it might disturb the balance of reason and justice, and thus become mischievous and dangerous! The command "Thou shalt not favour the person of the poor in his cause", coupled as it is with the command, "Thou shalt not countenance the person of the powerful", bespeaks an age of no ordinary culture, and a writer of uncommon clearness and harmony of mind (comp. ver. 35; *Exod.* XXIII. 2, 3, 6—8; *Deut.* I. 16, 17; XVI. 18—20; *Comm.* on *Exod.* pp. 442—444). Phocylides

admonishes the judges not to be oppressive to the poor, but he fails to reproduce the more characteristic command not to be partial to them, a command which is found in no other legislation (vers. 10, 11, Μη θλίψης πενίτην, ἀδίκως μὴ κρίνῃς πρόσωπον, κτλ.); whereas Jewish tradition perfectly understood and well developed its spirit (comp. *Talm. Chull.* 134^a; *Maimon. Hilch. Sanhedr.* I; *Choshen Mishp.* §. 17; see also *Hottinger*, *Jur. Hebr. Legg.* pp. 319—321).

16. It is not improbable that this verse also refers to duties connected with the administration of justice, although both the first and the second part may have a wider scope: it may relate to slander uttered in private and in law-courts, and it may allude to secret plotting as well as to bearing false witness in public; it denounces, therefore, like so many previous ordinances, insidious defamation and false testimony in whatever form, because calumny tends to imperil the honour and the interests, and it may be the lives, of innocent fellow-men (comp. *Exod.* XXIII. 1, 7; *Deut.* XIX. 16 *sqq.*). Horace recommends (*Epist.* I. XVIII. 68—70): "Quid de quoque viro, et cui dicas sæpe videto; Percontatorem fugito; nam garrulus idem est; Nec reticent patulæ commissa fideliter aures". The Rabbins are particularly severe with regard to the offence of calumny; this, they declare, devastates the world; three sins remove man from this world, and deprive him of happiness in the next — idolatry, incest, and murder; but slander outweighs

people; thou shalt not rise up against the blood of thy neighbour: I *am* the Lord.

them all; it is like denying the foundations of faith; it kills three persons at a blow — the slanderer, the slandered, and the listener; and therefore the Targum of Jonathan thus paraphrases our passage, "Do not follow the thrice-cursed tongue, for it is more fatal than the double-edged and devouring sword" (comp. *Talm. Ketuv.* 46^a; *Sot.* 15, 42; *Kiddush.* 70; *Sanhedr.* 31^a, 103^a; *Avod. Zar.* 18; *Erach.* 16^b; *Maimon. Hilch. Deoth* c. VII; *Heilpern*, l. c. p. 38). The Hindoo law has a series of very severe provisions with respect to backbiting and defamation, graduating the fines and penalties in accordance with the position of the offender and the offended, whether they be priests, soldiers or merchants, artisans or servants: if a servant, who is only "once-born", commits the offence against a "twice-born", his "tongue shall be cut asunder, because he has been generated from the meanest part of Brahma"; if he insults a priest, "a red-hot iron rod, ten digits long, shall be put into his mouth", or "boiling oil shall be instilled into his mouth and ears". It teaches also, "The guilt of him who falsely accuses another, is twice as great as the guilt of one who divulges a crime that has actually been committed; the calumniator has to bear the punishment of the calumniated; and to purify himself, he must for a month remain in seclusion, repeat prayers in silence, and subdue his passions" (*Manu* VIII. 267—277; *Yājñav.* II. 204—207, 210, 211, 234, 285—287). According to Jewish tradition, the second half of our verse intimates that, if we see any one in danger, we ought to try to save him, whether from drowning or from at-

tacks of robbers and wild beasts; and that a man who happens to witness a crime or injustice, is bound to come to the rescue of the attacked, either by personal assistance or by bearing testimony before the judges; and the same sense is expressed by Phocylides (ver. 21, *Μήτε' ἀδικεῖν ἐθέλοις, μήτε' οὐκ ἀδικεῖντα ἑάσεις*; comp. *Targ. Jon.* in loc.; *Talm. Sanh.* 74^a; *Maim. Hilch. Rotseach* I; *Choshen Mishp.* § 426).

PHILOLOGICAL REMARKS.—The noun רָכַל (from רָכַל, kindred with רָגַל to go about, to traffic, whence רָכַל merchant) is properly *walking about*, then doing so without a legitimate object, or *tale-bearing* (according to Rashi for *espionage* רָכַל רָכַל; comp. רָכַל to espy, to explore); and הָלַךְ רָכַל is *to move about slandering*, רָכַל being joined to the verb in the absolute case (similarly הָלַךְ רָכַל XXVI. 21, 23, lit. to go in a hostile encounter, that is, to act inimically, like הָלַךְ רָכַל XXVI. 24, 27, etc.; see *Gramm.* § 86.4.c); רָכַל אִשָּׁה is, therefore, *slanders* (*Ezek.* XXII. 9; comp. *Prov.* XI. 13; *XX.* 19); and this term proves that רָכַל is indeed *tale-bearing*, and not, as some suppose, *tale-bearer* (so f. i. *Ewald*, *Gr.* §§ 149^c, 279^c). Onk. has forcibly לֹא תִרְכַּל רָכַל "thou shalt not indulge in slander" (lit. thou shalt not consume pieces, as in the French jargon to denounce is manger le morceau; comp. *Dan.* III. 8; *VI.* 25; *Talm. Berach.* 58^a); Sept. not quite accurately, οὐ πορεύσει βόλος; *Vulg.* explicitly non eris criminator nec ausurro; Luther correctly as to the sense, Du sollst kein Verläumder sein; Jewish interpreters, starting from the root קָרַ used by Onkelos, explain, "thou shalt not make damaging insinuations by winking with

17. Thou shalt not hate thy brother in thy heart; thou shalt surely rebuke thy neighbour, so that thou bear not sin on his account.

18. Thou shalt not avenge nor bear any grudge

thy eyes" (comp. Prov. VI. 13; X. 10). *לֹא תִקַּח עִלְיוֹן עַל דַּם רֵעֶךָ* is literally, "thou shalt not rise up against the blood of thy neighbour", that is, thou shalt not scheme against his life, whether by cunning or violence, by speech or deed (comp. Dan. VIII. 25; XI. 14).

17. We hardly know whether to admire more the practical wisdom of the next injunction or its exalted morality: the faults of others should not engender in our hearts an unconquerable aversion; we should, on the contrary endeavour so to work upon the sinners by generous admonition, that they may become worthy of our friendship; for it is equally wrong to feel hatred, and to withhold correction. "Open rebuke is better than secret love", says a Hebrew Proverb (XXVII. 5); Christ enjoined upon his disciples, "If thy brother trespass against thee, go and tell him his fault between thee and him alone; if he shall hear thee, thou hast gained thy brother"; and he advised, if this remonstrance should prove ineffectual, to repeat it before one or two witnesses, and if necessary before the whole congregation (Matth. XVIII. 15—17); and the Rabbins declared that a man who does not reprove an offender when it is in his power to do so, shares his sin; yet he must take heed not to humble him before others, "it would be better for him to throw himself into a burning furnace", and "those who do so have no share in a future life"; an exception, however, is permitted when matters of faith are concerned, or when impostors must be unmasked in the interest of pub-

lic virtue (comp. *Mishn.* Av. III. 11, *Talm.* Berach. 31^b, 43^b; Shabb. 54^b; 56^b; Yom. 86^b; Kethuv. 67^b; Sot. 10^b; Bab. Mets. 31^a, 58^a, 59^a; *Maim.* Hilch. Deoth VI, VII; *Hoflinger*, Jur. Hebr. Legg. pp. 321—323).

PHILOLOGICAL REMARKS. — The Vulgate, in rendering *לֹא תִקַּח עִלְיוֹן* *publice argue eum*, adds a notion which is probably not intended in the text. — The words *לֹא תִקַּח עִלְיוֹן* mean no doubt, "thou shalt not bear sin on his account" (comp. XXII. 9; Num. XVIII. 32; see Comm. on Lev. I. 514), and not "thou shalt not suffer sin upon him" (Engl. Vers., Marg. Read. however, "that you bear not sin for him"); *לֹא* signifies not unfrequently "for the sake of" (Ps. XLIV. 23; LXIX. 8; etc.; Gramm. § 105. 8).

18. "Thou shalt not avenge nor bear any grudge against the children of thy people, and thou shalt love thy neighbour as thyself": this noble precept has long been recognised as the fairest flower of Hebrew ethics, and as the essence of the religion taught in the Hebrew Scriptures. It was by Christ declared to be, next to loving God with all our power, the great commandment upon which hang all the Law and the prophets (Matth. XXII. 39; comp. XIX. 19; Mark XII. 31; Luke X. 27); St. Paul called it "the very fulfilling of the Law" (Rom. XIII. 8—10; Gal. V. 14; comp. Col. III. 12—14; 1 Tim. I. 5), and others the "royal command" (*βασιλικὸς νόμος*, James II. 8). It was by Jewish sages, as Hillel, Rabbi Akiva, and Ben Soma, expressed in the negative injunction, "What thou dost not wish that others should do

against the children of thy people; and thou shalt love thy neighbour as thyself: I *am* the Lord.

to thee, that do not thou to others; this is the whole Law, the rest is only its interpretation; now go and learn" (וְלָמַדְךָ כִּי לֹא הֵבִיר לְךָ; *Talm. Shabb. 31^a; Talm. Jer. Nedar. IX*; see *supra* p. 117); and this was by Christ repeated in the positive form, "All things whatever you would that men should do to you, do you even so to them; for this is the Law and the prophets" (*Matth. VII. 12; Luke VI. 31*). It was by later Rabbins variously applied and developed. When God had created the world, they allegorised, it rocked, unstable, to and fro, and could not find its equipoise; He took love and made it the foundation of the universe, which then at once stood firm, and grew into order and beauty (*Talk. Shim. Ps. § 702*).—It cannot be supposed that principles of such loftiness as those set forth in our verse gained ground at a very early stage of Hebrew history; the Greeks and other ancient nations considered it the most enviable lot "to be able to be useful to one's friends and to do harm to one's enemy"; and the Jews probably adhered for a long time to similar views; at least Saul is reported to have said, "If a man find his enemy, will he let him go well away?" (*1 Sam. XXIV. 20*); and generous conduct like that of David was regarded as most remarkable, and was praised as exceptional (*comp. Ps. XLII. 5 seq., etc.*). But gradually purer notions took root; already "the Book of the Covenant" in Exodus enjoins the utmost consideration towards an enemy's beast, which is to be restored to him if it goes astray, and whose burdens are to be lightened if found to be above its strength (*Exod. XXIII. 4, 5*); and

similar provisions, though more general in form, are made by the Deuteronomist (*Deut. XXII. 1, 4*). With regard to the enemy himself, a proverb in the collection prepared in king Hezekiah's reign, prescribes, "If thy enemy be hungry, give him bread to eat; and if he be thirsty, give him water to drink; for thou shalt heap coals of fire upon his head, and the Lord shall reward thee" (*Prov. XXV. 21, 22*); and another proverb inculcates the lesson, "Rejoice not when thy enemy falls, and let not thy heart be glad when he stumbles; lest the Lord see it, and it displease Him, and He turn His wrath from him" (*Prov. XXIV. 17, 18*). We have, therefore, no reason to doubt that in the command of our verse, "Thou shalt love thy neighbour as thyself", the term "neighbour" comprises both kinsmen and strangers, both Israelites and non-Israelites; indeed that same command is in a later portion of this chapter expressly repeated with respect to the stranger (*ver. 34*); and it is unwarranted to infer, by an assumed rule of the contrary, that "thou shalt love thy neighbour, but hate thy enemy", as we read in the Sermon on the Mount (*Matth. V. 43*; see *supra* p. 119). National animosity engendered indeed among the Hebrews, as it did almost everywhere else, hatred and implacable bitterness, and gave rise to sentiments like the following uttered against the Ammonites and the Moabites, "Thou shalt not seek their peace nor their prosperity all thy days for ever" (*Deut. XXIII. 7*); but national animosity is no test of individual morality, and however fierce, it is compatible with the tenderest feeling (*comp. Ps. CXXXVII*).

Nor should we be justified in asserting, that the difference between native and stranger was ever effaced among the Hebrews; it was upheld with decision and consistency by the Deuteronomist; and it was insisted upon, even with some harshness, by one as noble-minded and as generous as Philo. The former ordained, that money might be lent on usury to a stranger, but not to an Israelite; that in the Sabbatical year a loan might be exacted from a foreigner, while it should be remitted to a Hebrew debtor; and that a Hebrew, but not a heathen servant might claim freedom after six years of service (Deut. XV. 3, 12; XXIII. 21; comp. Exod. XXI. 2). And Philo observes: "The Hebrews called their fellow countrymen, with great felicity of expression, their brothers; but those who were not their fellow countrymen, were called strangers, as is very natural, for the fact of being a stranger shows, that a person has no right to a participation in anything, unless, indeed, anyone out of an excess of virtue should treat even strangers as kindred and related" (*Philo*, De Septen. 8, 9, 16; but see *infra* p. 436). However, the differences referred to, though affecting important social rights, do not seem to have caused oppression or humiliation. The Talmud, partially compiled in times when the Jews suffered cruel persecution, and when moral degeneracy prevailed in the Roman world, has indeed some intolerant maxims such as this: "You Hebrews are called men, but the idolatrous nations are not called men" (*Yevam.* 61^a; *Bab. Mets.* 114^b), which distinction was applied to defilement by a corpse (comp. *supra* p. 111). But the Talmud has also sentiments of a very different nature; f. i. "A non-Jew who studies the Law is like the High-priest" (*Bab.*

Kam. 38^a); or "The good men of all the nations of the earth have a share in the happiness of the future world" (*Sanh.* 105^a; comp. *Acts* X. 34, 35); or "Feed alike the Jewish and the gentile poor, nurse alike the Jewish and the gentile sick, and bury together the Jewish and the gentile dead, for the sake of peace" (*Gitt.* 61^a). It declares, that interest on money ought not to be taken even from a gentile (*Macc.* 24^a); and we find this noteworthy utterance: "'Thou shalt love thy neighbour as thyself' — Rabbi Akiva said, This is a most important principle of the Law; but Ben Azai contended, that the words, 'This is the book of the generations of men' (*Gen.* V. 1), which declare the equality of all human beings, because all alike bear the image of their common Father, involve a principle even more momentous than the former" (*Talm. Jer. Nedar.* IX; *Siphra* fol. 89^a ed. Schlossb.; comp. also *Mishn. Avoth* III. 14, אדם אחד עולם כלו).

Jewish sages explained, that "avenging" (נָקָם) means returning evil for evil; while "bearing grudge" (שָׂנֵא) implies remembering an offence received, though good be returned for evil; they held, that it is not permitted to "hate" anyone except only sinners who, having been duly warned and admonished, do not repent, but persevere in their evil ways; and they ordained that, if a man finds both a friend and an enemy in distress, he should first assist his enemy, "in order to subdue his evil inclination" (כִּי לִנְפֹשׁ אִישׁ יִנְּצֵהוּ; comp. *Talm. Yom.* 23^a; *Bab. Mets.* 32^b; *Erach.* 16^b; etc.).

It might perhaps be possible to propound a rule more ideal and one involving greater self-abnegation than the maxims, "Thou shalt love thy neighbour as thyself", or "Do to others as you would that others should do to you", which adages, making

19. You shall keep My statutes: thou shalt not

self-love the basis and guiding principle of our actions, do not seem to aid us materially in the attainment of the supreme object of all moral training, the subjugation of self; yet they appear to be the highest that can be expected from human nature, and are therefore the most expedient and the most practical, provided that constant and strenuous care be taken that they do not result in cold justice devoid of mercy and generosity: for man cannot carry his sacrifices for others to the point of utterly forgetting his own interests, without finally endangering his dignity, if not his usefulness. "Owe no man anything but to love one another", explains St. Paul (Rom. XIII. 8). Nor do modern moralists condemn or undervalue self-love as a motive power of our actions —

"Two principles in human nature reign;

"Self-love, to urge, and Reason, to restrain;

"Nor this a good, nor that a bad we call,

"Each works its end, to move or govern all".

(*Pope*, Essay on Man, II. 2.)

Other nations were not unacquainted with precepts analogous to those here enjoined. The Spartans commonly prayed to the gods to make them bear injuries with meekness (*Plut. Instt. Lacon.* c. 26). A Hindoo code declares: "Virtue is not in a hermit's life; it appears only when it is practised; therefore men must not do to others what is disagreeable to themselves" (*Tājnav.* III. 65). Confucius writes: "Do to another what you would he should do to you; and do not to another what you would not like to be done to you". Aristotle remarks: "We should behave to-

wards our neighbours, as we would wish them to behave towards us". Cicero dwells upon the idea that "when a wise man has displayed benevolence, which is so widely diffused, towards one who is endowed with equal virtue, then that effect is produced which might appear incredible to some people, . . . that he loves himself not more than he loves his friend", and he adds, that this would be the general rule among men, if they remained true to nature in its genuine purity (*De Legg.* I. 12 or 34; comp. *De Offic.* I. 11 or 33). And Seneca advised, "Live for another as you would live for yourself".

PHILOLOGICAL REMARKS.—It is true, that the terms *יִשְׂרָאֵלִי* and *זָרָא* are occasionally placed in clear juxtaposition to denote "Israelite" and "foreigner" (*Deut.* XV. 3; XXIII. 21); but it is at least doubtful whether in our verse *יִשְׂרָאֵלִי* is intended to be understood as a synonym of *יִשְׂרָאֵלִי*, and to mean also *Israelite* (comp. *Talm. Bab. Kam.* 38, *אֵין מִצְוָה לְיִשְׂרָאֵלִי לְהַחֲמִיד אֶת הַזָּרָא*). As a parallel to our verse and several preceding commands, may be quoted a passage of Zechariah (VIII. 16, 17) written at about the same period as our chapter: "These are the things that you shall do, Speak every man the truth to his neighbour; execute the judgment of truth and peace in your gates; and let none of you imagine evil in your hearts against his neighbour; and love no false oath: for all these are things that I hate, says the Lord".

19. We believe that the reason of the strange laws enacted in this verse is implied in the very words with which they are prefaced, — "You shall keep My statutes" (*שְׁמַרְתֶּם*); but then the Hebrew term usually

let thy cattle gender with a diverse kind; thou shalt not sow

rendered "statute" must be taken in its original and most pregnant sense as that which is "engraven" and unalterably ordained: you shall not deviate from the appointed order of things, nor abandon the eternal laws of nature as fixed by Divine wisdom; for all things and living creatures, as they came perfect from the Creator's hand, were pronounced by Him to be "very good"; and every animal and plant was decreed to produce other animals and plants "after their own kind" (Gen. I. 11, 12, 21, etc.). These ideas were, by the Deuteronomist, worked out even more fully than in our passage; for though omitting the command with regard to the beasts, he declared it to be an abomination to the Lord, if a man wears garments of a woman, or a woman garments of a man, which Philo calls "adulteration of the coinage of nature" (De Sacrif. c. 13); he enacted that the produce of vineyards growing between corn "becomes holy" (עֲרֵב), or as Jewish tradition explains it, must be "burnt" (עֲרֵב עֵץ; see notes in loc.); and he forbade ploughing with an ox and an ass together (Deut. XXII. 5, 9—11), "lest the weaker animal, being compelled to exert itself to keep up with the superior power of the other, should become exhausted, and sink under the effort" (Philo, De Justit. II. 11); and the same notions were by the later Rabbins thus allegorically expressed with reference to our law: "There is nothing in the world, not even the smallest herb, over which an angel is not appointed as guardian, according to whose command everything is ruled; therefore it is unlawful to mix together different sorts and species, for thus the supreme government of things would

be confounded" (וְהָיָה כְּמִשְׁכָּח מִלְּפָנֵי מַלְאָכָא; *Yalkut Chadash* 147. 4; *Eisenmenger*, *Entd. Judenth.* II. 376). Our laws were, therefore, hardly prompted by expediency; and yet many such motives have been assigned for them from early down to recent times. It was supposed that mixing the breeds of animals was forbidden "from fear that this unnatural abuse might extend from beasts of different kinds to men" (*Joseph. Antiq.* IV. viii. 20; *Philo*, *Specic. Legg.* III. 8; a. o.); or as an indirect hint to the Hebrews to avoid intermarrying with foreigners (*Philo*, *De Justit.* II. 11; *Cleric.*, *Winer*, *Kitto*, a. o.). A variety of produce in the same field or vineyard was believed to have been objected to for the following reasons:—one species injures the other (*Philo*, *De Justit.* II. c. 12); "the land ought not to be oppressed with burdens beyond its strength, out of mere covetousness" (*Philo* l. c.), and having supplied nourishment for one plant, ought not to be harassed by ploughing" (*Philo Josephus*, II. cc.); again, the Hebrews were to be weaned from detestable habits like those of the Zabii who, whilst sowing different seeds and grafting trees of different kinds, performed disgraceful acts of superstition and immorality (*Maim. Mor. Nev.* III. 37, and the notes of Munk in loc.; similarly also *Spencer, Legg. Hebr. Ritt.* II. xxx. 2, pp. 529 sqq.); or they were to be taught "fully to trust in the providence of God, and not to make provision for a dry or wet season by sowing their fields with mingled seed", as is done in India and elsewhere (*Roberts* a. o.); and lastly, they were to be accustomed to a careful selection and separation of seed-grain, so useful for preventing the growth of weeds, and so es-

thy field with mingled seed; nor shall a garment *that*

essential for securing good crops (*Michael. Mos. R. IV. § 218; comp. Virg. Georg. I. 193 sqq.; Varro, R. R. I. 52*). A mixture of woollen and linen threads was considered inappropriate for reasons like these:—"wool and linen were appointed for the priests alone" (*Jos. Ant. IV. viii. 11; Mishn. Kilaim IX. 1*), which statement is at least of doubtful truth (see Comm. on Exod. pp. 487—489); "the difference of those substances prevents their union, and the superior strength of the one is calculated rather to tear the other than to unite with it, when the material is used" (*Philo, De Justit. II. 11*); they were costly and led to extravagance; they were often interwoven with symbolical figures of plants and animals recalling the worst features of Egyptian idolatry; or the people were to be warned against the superstitions of heathen priests, who believed that, by wearing mixed garments of wool and linen under certain conjunctions of the planets, their sheep and their flax would be blessed and thrive (*Maimonides*).

However, the idea underlying our laws is so abstract and speculative, and it is applied with so much logical consistency, that it is impossible to suppose that these ordinances originated in early and untutored times. In fact, we find traces in the Hebrew Scriptures that they were entirely unknown nearly during the whole of the monarchical period. We will not lay great stress upon the fact that the Hebrews largely kept and used mules (2 Sam. XIII. 29; XVIII. 9; 1 Ki. I. 33, 38; X. 25; XVIII. 5; Ezra II. 66; etc.), although the reasons brought forward to explain the employment of these hybrids, are very unsatisfactory; it is asserted that the Israelites imported them from

other countries (*Winer, Knobel*), or that they permitted an exception in favour of the horse and the ass (*Ewald*); it seems more probable to suppose that if a precept like that of our verse had existed, the Hebrews would have deemed it unlawful not only to breed but to use mules, just as they abhorred both the breeding and the keeping of swine (p. 110). But we turn to a more decisive proof. We read in Isaiah (XXVIII. 25): "When the ploughman has made even the surface of the field, does he not cast abroad fennel and scatter cummin, and cast wheat in rows, and barley on the appointed place, and spelt for its border?" Here evidently a large variety of grains is described as being sown on the same field, with an enclosure of a different kind forming part of the same piece of land; whereas the Mishnah (*Kilaim IX. 9*) expressly forbids a woollen border round a linen texture. It is a matter of experience that mixed seeds yield more abundant crops than single ones; because the former, as has been supposed, resist more successfully all injurious influences often fatal to the latter; different kinds protect each other, as various herbs and grasses do in fields; thus "clover may be frozen in winter and dried up in summer, but if mixed with other plants, it will indeed languish under the same conditions of temperature, but it will rise again luxuriantly in a more favourable season" (*Ergänzungsblätter, I. 509*). Whether the Hebrews were acquainted with this circumstance or not, they do not appear to have felt much disposed to comply with our law even long after its promulgation; a parable in the New Testament begins with the words:

is a mixture of linen and wool (*shaatnez*) come upon thee.

"A certain man had a fig-tree planted in his vine-yard" (Luke XIII. 6); and the doctors of the Mishnah and Talmud, though most minutely working out our ordinances from every conceivable point of view, found it necessary to interpret them, in several respects, very leniently, and to make many important concessions. For they taught, partially even against the spirit of the Biblical commands, that the mixing of seeds is prohibited only in the Holy Land; although grafting different kinds of trees is strictly forbidden, the fruit so obtained may be eaten; a certain number of plants, such as beans and peas, spelt and rye (רִיבֹן), are not to be considered as heterogeneous (*Mishn. Kilaim* I. 1—4); a garden bed about six hand-breadths square, may be planted with five kinds of vegetables, four on the four borders, and the fifth in the middle; the law is not infringed, unless *three* different kinds of grain are sown on the same field, for inst., two sorts of wheat and one of barley, or one of wheat, of barley, and of spelt; or unless, in a vineyard, besides pippins of raisin, two grains, such as wheat and barley, are sown at the same time. Maimonides indeed finds this decision surprising because not founded on Biblical authority, but he explains it by one of his favourite theories, namely, that the simultaneous sowing of three kinds was a pagan usage (comp. *Mishn. Kilaim* I. 1—4, 9; II. 6, 7; III. 1—5; V. 8; VI. 1sq.; IX. 1sq.; *Talm. Shabb.* IX. 2; *Berach.* 22^a; *Kiddush.* 38, 39^a; *Chull.* 82^b, 136^b; etc. *Maimon. Mor. Nev.* III. 37 fin.; *Hilch. Kilaim* I, V, IX; *Yoreh Deah* §§ 295—304; *Hollinger, Jus Hebr.* pp. 374—378).

It must, therefore, be concluded, that our laws are the result of a phi-

losophical or religious theory, which could not well be realised in practical life; and it will be easy to estimate the opinion of Talmudists that they formed a part of those commands which were already enjoined upon Noah, either assuming ten such precepts, or differently defining the seven usually specified (*Talm. Sanh.* 56^b, 60^a; see *supra* pp. 9, 10).

PHILOLOGICAL REMARKS. — Some observations of Josephus seem indeed to involve more profound reasons, but they are vague and indistinct. "The seeds", he states, "ought to be pure and unmixed, and two or three kinds should not be sown together, since nature does not delight in the union of dissimilar things. . . Nor is anything to be allowed, out of which, by imitation, any subversion might arise in matters relating to the commonwealth" (*Jos. Ant.* IV. viii. 20). The same may be said of Philo's explanation: "No Jewish shepherd will endeavour to cross a sheep with a he-goat, or a ram with a she-goat, or a cow with a horse; and if he does, he must pay the penalty for dissolving an ordinance of nature, that is anxious to preserve the original kinds of animals free from spurious admixture" (*Philo, Specc. Legg.* III. 8). The notion of purity, "mixture causing uncleanness" (*Knobel, Lev.* p. 511), is but remotely associated with our laws. — The term שָׂדֵךְ *thy field* must here, no doubt, be taken in the most extended sense, and includes the vineyard, which word is used in the corresponding law of Deuteronomy (XXII. 9), and which the Septuagint, unjustifiably narrowing the scope of our law, has in our passage (τὸν ἀμπελῶνα σοῦ): if "seed is sown" on the vineyard, the latter becomes thereby, in some measure, a field. — The mean-

20. And if a man lies carnally with a woman that is a bondmaid, betrothed to a man, but has not been redeemed, nor has received her freedom; punishment shall take place, *but* they shall not be put to

ing of מִצְרֵי is certain, for in our passage the word is explained by "mixture" (מִצְרֵי), and in Deuteronomy (XXII. 11) still more distinctly by "wool and linen together" (Jonath. in our passage מִצְרֵי וּכְתָן), which were among the Hebrews the ordinary materials for garments (comp. XIII. 47); but no plausible etymology has hitherto been discovered; the term seems hardly of Hebrew origin, a quinquelitera consisting entirely of strong letters being against Shemitic formation; it may be Egyptian, and the word may have been introduced into Palestine together with the texture for which the Egyptians were famous. According to the Mishnah (Kilaim IX. 8), it is a compound of מִצְרֵי, heckled, מִצְרֵי spun, and מִצְרֵי corded or woven, and denotes a material variously manufactured of wool and flax (comp. *Kimchi* sub voc.); which derivation is as improbable as that of modern linguists who believe that it signifies "a garment mixed with thread," and consider it a compound of מִצְרֵי mixture (comp. Arab. مِزْج to mix), מִצְרֵי garment (comp. מִצְרֵי to put on a garment), and מִצְרֵי thread (comp. Chald. מִצְרֵי to twist threads); or that of Bochart who translates "mixed texture" (from מִצְרֵי or מִצְרֵי and מִצְרֵי). In Coptic, coloured material spun from wool and linen is called ΣΧΩΤΝΕΣ. The ancient versions afford no clue; the Sept. has κίβδηλον (adulterated, false — being neither the one species nor the other), the Vulg. merely veste quæ ex duobus textis est; the Samaritan version מִצְרֵי dotted, of variegated colours, perhaps following a custom or law of the Samaritans of wearing only garments of one colour;

Saad. ad Abu-Said "of wool and linen" (مِزْج و كِتَان); comp. *Buxt. Lex. Chald.* Talm. p. 2483; *Boch. Hieroz.* I. pp. 486, 487; *Jablonski*, Opusc. I. 291—295; *Gesen.* Thesaur. p. 1456). — We may observe, that the ordinance with respect to mixed materials was by Jewish tradition not applied to the shrouds of the dead (מִצְרֵי הַמֵּת), since the dead are free from the obligations of the Law (*Mishn. Kil.* IX. 4; comp. Ps. LXXXVIII. 6, מִצְרֵי הַמֵּת כְּמִצְרֵי הַחַיִּים); and upon this view is based the argument of St. Paul, "You also are become dead to the Law by the body of Christ; . . . now we are delivered from the Law, that being dead wherein we were held"; or "I through the Law am dead to the Law, that I might live unto God" (Rom. VII. 4, 6; Gal. II. 19). — Niebuhr (*Beschreibung von Arabien*, p. 159) relates that Jewish agriculturists in Arabia, though refraining from blending different kinds of trees by grafting or inoculation, which is forbidden in the Mishnah (Kilaim I. 7, 8), do not scruple to grow heterogeneous crops on the same field, and to eat the produce, which, according to the Rabbis, Jews are permitted to do in any country except Palestine (see *supra*; comp. *Holtinger*, *Jus. Hebr.* p. 377).

20—22. If we were not prepared to find in our chapter a miscellaneous collection of laws, it would be difficult to account for the introduction, in this place, of the provisions contained in these verses: their proper position would either have been among the laws of sacrifice or among the laws of marriage; and they derive, therefore, no light from the context in which they occur.

death, because she was not free. 21. And he shall bring his trespass-offering to the Lord, to the door of the Tent of Meeting, a ram for a trespass-offering; 22. And the priest shall make an atonement for him

They belong no doubt to the same period as the commands of this section generally; for in Ezra's time an expiation by means of sacrifice similar to that here prescribed was demanded of those who had married foreign wives (comp. Ezra X. 19); and we are not surprised to find even in this late enactment the same invidious and degrading conceptions with regard to slaves, which are reflected in some of the earlier ordinances (comp. Exod. XXI. 20, 21, 32). For the slaves are here still regarded essentially as *property*, and not only are they inferior to other Israelites in social rights, but also in moral and religious duties: if a female slave is faithless to her betrothed, neither she nor her paramour suffers death, which is the legal punishment if the seduced is a free woman (XX. 10; Deut. XXII. 22—24); she has to perform no religious ceremony whatever, since she is no full member of the theocratic community; "her marriage with a free man is no perfect marriage" (אין קידושין קדושין נשתיין, Rashi), but is rather "like the 'heterogeneous mixture' (חבולת) just treated of" (Ebn Ezra); and the man has simply to present a ram for a trespass-offering, which is the ordinary atonement for offences against the rights of property (Comm. on Lev. I. pp. 267 *seq.*). Yet we notice, in this enactment, a progress in two directions: in opposition to the ordinances of previous codes, the seducer was not compelled to marry the slave, without the liberty of ever dismissing her; and he paid the fine for the infringement of the laws of property not to the betrothed or the master of the slave,

but to God (comp. Deut. XXII. 28, 29). Both the notions of marriage and of atonement had become more refined; a forced alliance was deemed immoral, because it is no *union*; and it was considered a supreme duty to restore the holiness of the community which had been disturbed by the offence. Whether any reparation was made to the injured bridegroom, or to the master whose property had been depreciated, and which was the penalty inflicted upon the woman, is not stated in our law; the matter was probably left to the discretion of the judges, to whom the legislator gave sufficient liberty by the general injunction "punishment shall take place" (עונש יתקן). Jewish tradition deduced from these terms that the slave was punished with flagellation (*Mishn. Kerith. II. 4*).

PHILOLOGICAL REMARKS.—To establish a connection with the preceding verse, we should not be warranted in describing the laws under discussion as directed "against the intermingling of different classes," and in considering the particle; with which they begin (עַל) as a proof that "a kindred subject" follows (Ebn Ezra, Knobel, a.o.): a free Hebrew was indeed allowed to marry a Hebrew slave, whether she obtained her liberty or not; and the particle; very frequently begins laws and sections which have no affinity whatever with the preceding ones (comp. f. i. ver. 23, אַחֲרַיִם).—A learned critic has observed that "verses 19 to 22 give the impression of being later additions; at least they are ill suited to the other and more general subjects, and certainly vers. 21 and 22 do not stand in their right

with the ram of the trespass-offering before the Lord for the sin which he has done; and the sin which he has done shall be forgiven him.

23. And when you shall come into the land, and shall plant all manner of trees for food, you shall count

place" (*Graf*, *Geschichtliche Bücher*, p. 78): however, the laws of ver. 19 seem to accord well with the spirit of the chapter, and the mode of atonement prescribed in vers. 21 and 22 can hardly be separated from the statement of the offence itself in ver. 20. — The words *וְהָיָה לְאָדָם* (ver. 20) are properly *given up to a man*, that is, *betrothed to him* (comp. *וְהָיָה* in *Judg. V. 18*; *Isai. LIII. 12*; and *וְהָיָה* in *Talm. Kiddush. 6^a*, where it is declared equivalent with *וְהָיָה*; *Onk.* aptly *מְתוּקָה* destined or intended, *Jonah. מְתוּקָה*, Saad. *مُتَوَكِّلٌ*, Rashi *מְתוּקָה*, Rashb. *מְתוּקָה*); the Septuagint has indistinctly *διαπεφυλαγμένην ἀνδρὶ ὥσις* (DeWette "einem Manne vertraut"), Vulg. incorrectly *nubilis*, Luther a. o. against the Hebrew usage "die von dem Manne verschmäht ist" (Ebn Ezra "despised"; comp. *וְהָיָה* disgrace); Maimonides (*Mor. Nev. I. 39*), connecting *וְהָיָה* with the Arabic *حرف*, takes it as "turning away", and translates *וְהָיָה לְאָדָם* "a servant changed from the condition of bondage to the condition of marriage"; and Schultens (*Animadvers. Philol. et Crit. pp. 57—68*), following a no less doubtful Arabic analogy, renders "*serva vilis alicui (sc. domino) reddita*"; which Dathe modifies thus, *qua alius pro lubitu utitur*; comp. *Comm. on Lev. I. p. 267 note 15*. — *וְהָיָה לְאָדָם* is properly *there shall be visitation*, for the root *וְהָיָה* includes, like the analogous one *וְהָיָה*, both the notion of searching examination (*XIII. 36*) and correction, exactly like the Greek *ἐπισκοπή*, as the Septuagint translates in this passage. The Author. Vers., following

the Rabbinical interpretation, renders "she shall be scourged" (*מְתוּקָה לְאָדָם*), and has, in the Marginal Reading, even more questionably, "*they shall be scourged*"; and so the Vulg., Dathe, a. o. *vapulabunt ambo*. — Jewish doctors curiously inferred from the words *וְהָיָה לְאָדָם* — a very common use of the infinitive for emphatic expression — that the woman referred to in our law is one that "is half slave and half free" (*מְתוּקָה לְאָדָם מְתוּקָה לְאָדָם*), and is betrothed to a Hebrew slave (*Mishn. Kerith. II. 5*); all which views are reproduced in the Targum of Jonathan: "If she is a servant and a free woman betrothed to a free man, . . . there shall be searching inquiry (*וְהָיָה*) for her judgment", etc.

23—25. This is one of the few laws peculiar to our chapter, and found in no other code of the Pentateuch: assuming, therefore, that it originated at a very advanced age, we can well understand, that, though based upon an old usage and upon practical observation, it is spiritual and levitical in tendency: Hebrew agriculturists may have known, as was known to the husbandmen of other ancient nations, that by stripping fruit-trees of their blossoms in the earlier years, they will thrive better, and bear more abundantly afterwards; but our legislator was not satisfied with merely sanctioning a practice of rural economy; he brought it into connection with the laws of firstfruits; and since, as a rule, the produce of the first three years is tasteless, stunted, and imperfect, or as he calls it "uncircum-

their early fruit as uncircumcised; three years shall it be as uncircumcised to you; it shall not be eaten. 24. And in the fourth year all their fruit shall be holy, a praise to the Lord; and in the fifth year shall you

cised," and therefore unfit for sacred gifts, he enacted that that produce should not be eaten; that the crop of the fourth year should be "holy, a praise to the Lord"; and that from the fifth year only the proprietor should be allowed to enjoy the produce of his trees. The firstfruits were, according to the Deuteronomist (XXVI. 1—11), consumed by the owner in common meals together with the Levite and the stranger; but according to the later ordinance of Numbers (XVIII. 12, 13), they belonged exclusively to the priests, and formed no insignificant part of their revenues (see Comm. on Lev. I. 613, 614). It is probable that the latter meaning is implied in the terms "holy, a praise to the Lord," and that the fruits of the fourth year belonged to the priesthood alone; they could, according to tradition, be redeemed by their equivalent of money, with the addition of the fifth part of their value (comp. XXVII. 31; Deut. XIV. 22—26; *Mishn. Peah* VII. 6; *Terum. VI. 2 sqq.*; *Maas. Shen. V. 1 sqq.*); or they were taken to the holy city, together with the tithes of other fruits, and there consumed by the master in the company of invited, especially needy guests (*Jos. Ant. IV. viii. 19*). Our text prescribes merely that the produce of the three first years "shall not be eaten"; but Jewish teachers assert that it must be burnt or buried in the ground, since it ought to yield no advantage or benefit whatever; and working out the Biblical precepts with their usual minuteness, they partially extend, and partially contract their scope. Some are of opinion that even at present Jewish producers ought to

redeem the fruit of the fourth year for a nominal coin, and to throw this "into the Dead Sea", that is, to "a forlorn place", where no one is likely to find it (See *Mishnah* Treat. *Orlah*; *Talm. Berach. 35*; *Peasach. 22^b*; *Rosh Hash. 2^b*; *Kiddush. 38, 54^b*; *Bab. Kam. 101^a*; *Maim. De Cib. Vetit. X.*; *Mor. Nev. III. 37*; *Yor. Deah § 294*; *Hottinger, l. c. pp. 324—327*).

PHILOLOGICAL REMARKS. — The words *וְהָיָה פִּרְיָהּ כְּפִרְיָהּ הַיָּרֵחַ* are literally "you shall declare as uncircumcised its uncircumcision, its fruit," that is, the earliest fruits of a tree, which are, as it were, its prepuce, shall be considered unclean; for *כְּפִרְיָהּ* uncircumcised is used metaphorically in many connections, especially in reference to the heart, the lips, and the ear (XXVI. 41; Ex. VI. 12, 30; Deut. X. 16; Jer. IV. 4; VI. 10; Ezek. XLIV. 9; see Comm. on Exod. p. 106); hence Onk. *וְהָיָה פִּרְיָהּ כְּפִרְיָהּ*, the Sept. *περιχαθαρίτε τὴν ἀκαθαρσίαν ὠτίου*, and Philo in his allegorical manner, "he orders us to cut away vain opinions, which are impure by nature" (De Alleg. I. 15, *ὅτις δὲ ἀκαθάρτον φύσει*; comp. also the curious and elaborate allegorical exposition of our precept, which he describes as a *χρησμός*, in De Plant. Noae cc. 27—33; see De Abrah. I. 2). — *וְהָיָה פִּרְיָהּ* "holy, a praise to the Lord," that is, an offering of praise and gratitude; though *וְהָיָה* is also used for festivals of thankfulness (Judg. IX. 27; comp. *Hengstenb. Authent. des Pentat. II. 99*). The Sept. renders the word indistinctly *ἀνέτος τῷ κυρίῳ*, and so the Vulg. *laudabilis Domino*; and Luther *heilig und gepriesen*; but the Samaritan codex and

eat of their fruit, that they may yield to you their increase: I *am* the Lord your God.

26. You shall not eat *anything* with the blood.

You shall use no enchantment nor magic.

version have *לְפָדוֹתָם* "redemption," intimating that the produce of the fourth year might be redeemed by money given to the priests (see *supra*; comp. Deut. XX. 6; XXVIII. 30; Jer. XXXI. 5); and similarly Targ. Jonath. (*לְפָדוֹתָם מִיָּד הַכֹּהֲנִים* "redeemed from the priest"), and others (see *Geiger*, *Urschrift*, pp. 181—184).

26, 31. Though from early times thoughtful Hebrews felt a repugnance to the eating of blood of animals, since they considered blood as the soul or life breathed into the beasts by God and therefore sacred, the bulk of their countrymen could not easily be weaned from a habit which seems to have been general and deep-rooted, and was combated by arguments perhaps too speculative for their comprehension. The interdiction of eating blood was therefore repeated at different times, and was deemed necessary even in the Persian period; yet it is here introduced in a form so brief and elliptical—*לֹא תֹאכְלוּ בָּדָם*—that it is evident that the subject had become familiar to all.

But in that period no warnings were more urgently needed than those against sooth-saying, enchantment, and sorcery of every description; for then the Jews, scattered throughout Babylonia, the ancient home of the divining arts, and living under the rule of the Persians, the consummate adepts in the mysteries of the spirit world, were in the utmost danger of adopting views and practices absolutely opposed to the doctrines of monotheism, and of thus "defiling themselves" (ver. 31). How imperfectly the Jews escaped this danger, has been pointed out before (pp. 287

sqq.); and we have, in another place, also reviewed the various forms of sooth-saying which flourished among the Hebrews at all times (see Comm. on Lev. I. pp. 374 *sqq.*).

PHILOLOGICAL REMARKS.—The command "You shall not eat anything with the blood," is sufficiently clear; but Jewish teachers, translating "you shall not eat so as to cause your own death", curiously referred those words to the law about the rebellious and gluttonous son, who was to be stoned to death (Deut. XXI. 18—21); or they explained, "you shall not eat the flesh of sacrificial animals while the blood is still in the sprinkling vessel" (*Targ. Jon.*; *Talm. Sanh.* 63^a; *Berach.* 10). Maimonides, on this point as on some others at variance with Jewish tradition, asserts, at least in his *Moreh Nevochim* (III. 46), that the command applies merely to the Zabian practice of eating the flesh of slaughtered beasts at the pit into which they pour the blood as food for the demons; and he translates therefore, "You shall not eat near the blood" (see *supra* p. 3; comp. however, *Maimon.* *Seph. Mitzv.*, negat. prec. 195; *Hilch. Mamrim* VII; *Heilpern*, *Mits. Hashem* p. 40). But the preposition *בְּ* means likewise "in addition to" or "together with" (comp. XXIII. 18, 20; Exod. XII. 8, *לֹא תֹאכְלוּ בָּדָם*); it stands here instead of the more usual *עִם* or *אִתּוֹ* (Gen. IX. 4; Deut. XII. 23), or instead of *בְּ* (1 Sam. XIV. 34, in which passage the phrase *לֹא תֹאכְלוּ בָּדָם* also occurs, vers. 32, 33). An ancient reading instead of *לֹא תֹאכְלוּ בָּדָם* seems to have been *לֹא תֹאכְלוּ בְּדָם*, for some Greek manuscripts have the translation *ἐν τῷ ὀρέσῳ*—a prohibition

27. You shall not round the corners of your head,
neither shalt thou mar the corners of thy beard.
28. And you shall not make any cuttings in your flesh

not to eat sacrificial meals on the heights, which would, however, be too abruptly and enigmatically introduced. — On *וַיִּזְכֹּר* to practise enchantment "by muttering spells in a mysterious whisper", see Comm. on Lev. I. 375 notes 15, 16, and on *וַיִּזְכֹּר* *ibid.* p. 376 note 1; on *וַיִּזְכֹּר* necromancers *ibid.* notes 5—9, and on *וַיִּזְכֹּר* wizards *ibid.* p. 374 note 11. The Sept. renders *ὁμνῶντες* and *ὁρνῶσες*; the Vulg. *augurari* and *observare somnia*, *magi* and *arioli*; Luther auf Vogelgeschrei achten und Tage wählen, Wahrsager u. Zeichen-deuter. Jewish tradition explains that *וַיִּזְכֹּר* means being influenced in our actions by omens (f.i. "my stick fell out of my hand, therefore I will not go to-day to such and such a place"), and *וַיִּזְכֹּר* considering certain months or seasons propitious or unlucky for certain undertakings; that *וַיִּזְכֹּר* is one whom others believe that a voice comes from under the earth or out of a skull, and a *וַיִּזְכֹּר* one who takes into his mouth a bone of a certain bird called *וַיִּזְכֹּר*, burns incense, and then, in a fit of ecstasy, pretends to disclose the future (comp. *Talm. Shabb.* 67; *Sanh.* 65; *Chull.* 95; *Naimon.* Hilch. Avod. Zar. VI, VII, XI, XII; *Yor. Deah* § 179; *Höttinger* l. c. pp. 388—390, 394, 395; *Heilpern* l. c. pp. 40, 41).

27, 28. The human form which came perfect from the hand of God, and which, if it does not reveal, enshrines that which constitutes man's "similitude" and "likeness" with Him, is sacred; and it must not be disfigured or mutilated: this general principle had a special force and meaning for the Hebrews who were the chosen

and holy community. The Deuteronomist conveys both the law and the reason with remarkable emphasis: "You are children of the Lord your God; you shall not cut yourselves, nor make any baldness between your eyes for the dead; for thou art a holy people to the Lord thy God, and the Lord has elected thee to be a peculiar people to Himself out of all the nations that are upon the face of the earth" (Deut. XIV. 2). Various other commands were suggested by these notions (comp. Deut. XXIII. 2); and we can discover only one exception — the law of circumcision, which however, arising out of a physical cause and gradually spiritualised, was finally also connected with the idea of the sanctity of Israel and of every Israelite (see Comm. on Gen. pp. 386 *seq.*). The opposition of the Deuteronomist to the customs referred to was the more justified, as they originated in superstitious conceptions and helped to confirm them. However, in this case as in many others which we have pointed out, the teachers of the nation were much in advance of the mass of the people; for these the great principle, "You shall be holy, for the Lord your God is holy", remained long a phrase of little significance; they clung to their idolatrous habits; and in the time of Jeremiah which coincides with that of the Deuteronomist, the forbidden practices still prevailed, and were apparently considered unobjectionable even by religious guides. For Jeremiah, foreshadowing the fearful massacres of the Hebrews, declared: "Both the great and the small die in this land; they shall not be buried, nor shall men lament for

for the dead, nor brand any marks upon you: I *am* the Lord.

them, nor cut themselves, nor make themselves bald for them" (Jer. XVI. 6). The same usages were preserved after the destruction of Jerusalem (Jer. XLII. 5); and the compiler of our chapter deemed it, therefore, necessary not only to renew the former prohibitions, but to extend them to the comparatively harmless custom of tattooing (תַּתְּכֶם; see *infra* on XXI. 1—15, p. 456).

Arab tribes, pretending to follow the example of their god Orotal whom Herodotus calls Bacchus, and who is probably identical with the Sun, used "to cut their hair in a ring away from the temples"; and other nomads living in northern Africa "shaved their heads so as to have tufts (λόφους καίρονται), and allowing the middle hair to grow, they shaved both sides close to the skin" (*Herod.* III. 8; IV. 175): this was considered by the Hebrews an unbecoming disfigurement of the head, and hence the Arabs were, with reproach and irony, called "people with the corner of their hair polled" (תַּקֵּי תַּפְּסֵי, Jer. IX. 25; XXV. 23; XLIX. 32). If, as we may infer from the statement of Herodotus, the custom was associated with some form of Sabaean idolatry, there was an additional reason for enforcing our law.

An injunction not to mar the beard might hardly appear necessary, since it is well known with what pride and scrupulous care the beard was cultivated by the Hebrews and other Eastern nations; that it was deemed the greatest ornament of a man, a badge of his dignity, and a type of his vigour and perfect manhood; beard and life were hence often employed as synonymous, and oaths were confirmed, and blessings be-

stowed, by invoking the one or the other; suppliants, desirous to give the utmost solemnity to their appeals, touched the beards of those they addressed; and a mutilation of the beard was looked upon as an unbearable disgrace, and often regarded as more calamitous than death (2 Sam. X. 4, 5; Isai. VII. 20; Ezek. V. 1; *Hom.* II. I. 500—502; VIII. 371; X. 454). In some countries the beard was the distinctive mark of free men. An old Spartan law forbade the ephori, from the moment of their taking office, to clip their beards; and those who had fled before the enemy in battle were compelled to appear in public with half-shorn beards. However, it was customary among several nations for young men "to present to their gods the firstlings of their beards" (*Lucian*, *Syr. Dea* c. 60, τῶν γενεῶν ἀπαρχόντα; *Stat. Theb.* VI. 199, 200); and it was possibly to prevent the adoption of similar usages among the Hebrews, that the injunction was deemed desirable. Besides, "marring the corners of the beard" was a heathen mode of mourning, which was not to be imitated, since it might easily lead to more objectionable perversities (compare XXI. 5; Is. XV. 2; Jer. XLII. 5; XLVIII. 37; Bar. VI. 31).

For the wild and frantic demonstrations of grief so common among eastern and southern nations, included cuts and incisions in the body among the Hebrews, the Philistines, and the Moabites, the Arabs and Ethiopians, the Babylonians and Armenians; among the early Greeks and Romans, people in bereavement, especially women, indulged in the hideous practice of "lacerating their cheeks"; and when the king of the

Scythians died, those of his subjects who received his body for burial, "cut off a part of their ears, shaved off their hair, wounded themselves on the arms, and drove arrows through their left hands" (compare X. 6, 7; XXI. 4; Jerem. XVI. 6; LI. 5; XLVII. 5; XLVIII. 37; Comment. on Exod. p. 176; on Levit. I. 342—344, 697; *Hom.* II. II. 700; XI. 393; XIX. 284; *Herod.* IV. 71; *Xenoph.* Cyrop. III. I. 13; III. 67; *Eurip.* Hec. 655; *Plut.* Consol. ad Apollon. c. 22; Sol. c. 21; *Virg.* Aen. IV. 673; XII. 606; *Ovid.* Trist. III. III. 51; *Cic.* Tusc. III. 26 or 62, *detestabilia genera lugendi... muliebres lacerationes genarum, pectoris etc.*; De Legg. II. 23 or 59; *Geier.* De Ebraeor. luctu c. X; *Arvicux.* Beduinen, p. 153; *Morier.* Sec. Journ. p. 189; *Rüppell.* Abyssin. II. 57). Such acts, which are still customary among some tribes of Persia, Arabia, and Abyssinia, were to be shunned by the Hebrews, not only because immoderate grief is unbecoming a nation of priests, but because cuts and incisions, usually made by persons while engaged in prayer or other religious exercises, were meant as substitutes for self-immolation, and the blood thus shed was supposed to ensure atonement: such notions were held in abhorrence by the advanced levitical writers, who attributed the power of expiation to the blood of clean sacrificial animals, but not to human blood.

More wide-spread still was the custom of "inscribing" upon the body (כִּתְּבוּ), by means of a "caustic" (חֲרָט), words or short maxims, or of marking the forehead and cheeks, the hands, the arms, and the neck, with figures and emblems. It prevailed, and partially still prevails, in many countries of the old and the new world, both among savage and more civilised nations; and though in many

cases it is in itself harmless, being merely intended for ornament, or for identification, as when a slave bears the name or the initials of his master, or the soldier those of his general, it was, in many instances, a very efficient mode of strengthening the most dangerous superstitions. It was so common for idolaters to have the name or image of their chief deities, or some other significant symbol associated with their faith, engraved upon their bodies, that even the earlier religious legislators of the Hebrews deemed it necessary to devise some substitute for that custom in harmony with their new creed, and they introduced the "phylacteries", which the Hebrews were to "bind" as "a sign" upon their head, and as "a memorial" between their eyes, "that the law of the Lord might be in their mouths" (Exod. XIII. 9, 16; Deut. VI. 8; XI. 18; see Comm. on Exod. pp. 223—227). Thus more than one advantage was gained; the sign or memorial was known to refer to none else but the One and true God of the Hebrews, and it was understood not as an amulet which in itself is a shield against danger and misfortune, but as an emblem meant to remind the Israelite of his duties and of their faithful accomplishment by his own zeal and vigilant exertion. Yet it was even after the exile considered unobjectionable to cover with such symbols the body itself, as is manifest from allusions of the second Isaiah (XLIV. 5; XLIX. 16). The levitical writers prohibited, therefore, tattooing of any kind and for whatever purpose, well aware how imperceptibly that practice might lead again to heathen rites and notions. Christians in some parts of the East, and European sailors, were long in the habit of marking, by means of punctures and a black

29. Do not prostitute thy daughter to cause her to be unchaste; and let not the land become unchaste, so that the land become full of wickedness.

dye, their arms and other members of the body with the sign of the crucifix, or the image of the Virgin; the Mohammedans mark them with the name of Allah, and Orientals generally with the outlines of celebrated towns and places. A traveller relates that, as a preparation for an Arabian wedding, the women tattoo the bride with figures of flowers, houses, cypresses, antelopes, and other animals. Among the Thracians tattooing was considered as a mark and privilege of noble birth. The branding of prisoners and malefactors, extensively practised to this day, is included in the general interdiction of our verse (comp. *Isai.* XLIX. 16; *Ezek.* IX. 4; *Gal.* VI. 17; *Rev.* VII. 3; *IX.* 4; *XIII.* 16; *XIV.* 1; *3 Macc.* II. 29, Ptolemy Philopator ordered that the apostate Jews "should be marked by fire upon their body with the attribute of Bacchus, an ivy leaf"; *Philo*, *De Monarch.* I. 8; *Herod.* II. 113; *V.* 6; *Lucian*, *Syr. Dea.* c. 59; *Prudentius Hym.* X. 556—560, Charaxat ambas ungulis scribentibus Genas etc.; *Spencer*, *Legg. Ritt.* lib. II. cc. XIX, XX, pp. 403 sqq.; *Deyling*, *Observat.* III. 423—430; *Rosenm.* *Morgenl.* II. 306—308, IV. 254; *VI.* 136—138; etc.).

PHILOLOGICAL REMARKS. — *וְאֵת כֹּף רִאשְׁתְּךָ* is properly, "you shall not go round as regards the extremity of your head", that is, you shall not make a round tonsure by shaving off the ends of your hair; *Vulg.* neque in rotundum attondebitis comam; *Symmach.* οὐ περιεξυρήσετε κύκλῳ τὴν πρόσεψιν τῆς κεφαλῆς ὑμῶν; and *Herodotus* also in the passage above referred to repeatedly expresses the notion of round about, *λείπονται περιερόχαια*, *περιεξυρόντες τοὺς χρό-*

τάφους (*Herod.* III. 8). The Sept. has the unusual term *σισόη*, viz. οὐδὲ ποιήσετε σισόην ἐκ τῆς κομῆς. Greek courtesans also are said to have shaved and arranged their hair in crest-like form (comp. *Hesych.* s. *σισαφ(ον)*). — *קָצַץ* or *קָצַץ* (*XXI.* 5), is cut, incision (*Sept.* ἐντομήδεις, *Onk.* and *Jon.* דביל injury), from *קָצַץ*, like *קָצַץ*, to make incisions in the body. — *אָדָם* is a dead man, a corpse (as in *XXI.* 1; *Num.* V. 2; *IX.* 6; etc.); the parallel passage in *Deuteronomy* (*XIV.* 1) has *אָדָם*, and sometimes both terms *אָדָם* and *אָדָם* are combined (*XXI.* 11; *Num.* VI. 6). — The words *קָצַץ* *אָדָם*, both of them ἀπαξ λεγόμενα (see p. 386), are literally "writing of branding": that is, marks burnt into the skin (*Onk.* חריץ חריץ engraven marks, *Jon.* חריץ חריץ). *אָדָם* seems to have been specially formed from *אָדָם* (prop. *to engrave*) to express the notion of tattooing, and *קָצַץ* is perhaps cognate with *קָצַץ*, *καύω*, *קָצַץ*, cauterio signavit (comp. *Talm. Kiddush.* 36; *Macc.* 21; *Maimon.* *Hilch.* Av. Zar. XII; *Yoreh Deah* § 190; *Holting.* I. c. pp. 392, 393; *L. Geiger*, *Ueber die Entstehung der Schrift*, in *Zeitschrift der D. Morgenl. Gesellsch.* XXIII. 166, 167). — *Phocylides* (v. 225) unjustly restricts the meaning of our verse to the branding of servants (*Στίγματα μὴ γράψῃς, ἐπὶ νοτιδίζων θεράποντα*).

29. The unchaste worship of Ashtarte, known also as Beeltis and Tanais, Ishtar, Mylitta, and Anaitis, Asherah and Ashtaroth, flourished among the Hebrews at all times, both in the kingdom of Judah and Israel; it consisted in presenting to the goddess, who was revered as the female principle of conception and birth, the virginity of maidens as a

30. You shall keep My Sabbaths, and reverence My Sanctuary: I *am* the Lord.

firstfruit offering; and it was associated with the utmost licentiousness. This degrading service took such deep root, that in the Assyrian period it was even extended by the adoption of new rites borrowed from Eastern Asia, and described by the name of "Tents of the Maidens" (מִדְּבָרִים); and it left its mark in the Hebrew language itself, which ordinarily expressed the notion of courtesan by "a consecrated woman" (נִשְׁתָּה), and that of sodomite by "consecrated man" (נִשְׁתָּה; see Comm. on Lev. I. 312, 358—361, where the needful references will be found). It is natural that a matter so important both for the morals and the faith of the nation, should have engaged the constant and earnest attention of Hebrew legislators. Therefore the Deuteronomist ordained with remarkable distinctness: "There shall be no courtesan (נִשְׁתָּה) among the daughters of Israel, nor a sodomite (נִשְׁתָּה) among the sons of Israel; thou shalt not bring the hire of an unchaste woman or the earnings of a dog (כֶּלֶב וְחֵלֶב) into the House of the Lord thy God for a vow; for both these things alike are an abomination to the Lord thy God" (Deut. XXIII. 18, 19) — for it was customary to offer the gain of prostitution or a part of it in the Temple, in order to hallow the gain and to sanction the prostitution. A similar prohibition is intended in our verse; but the difference between the wording of this passage and that of the Deuteronomist is striking and significant: "Do not prostitute thy daughter to cause her to be unchaste". The levitical author almost veils the gross abuse, evidently because in his more advanced age, when religious and moral laws began to be more strictly

kept, he hardly had to apprehend a relapse into iniquities like those so plainly stated by his predecessor; he deemed a general allusion to the subject sufficient, and he chose terms which might be understood as a common injunction of virtue; and such an exhortation he indeed added, apparently as the principal object of the command—"and let not the land become unchaste, so that the land become full of wickedness". Thus the precepts faithfully reflect the various ages in which they were promulgated, and become historical witnesses of momentous changes in the inner life of the nation.

30. It would be extremely difficult to point out, without recourse to artificial devices, some logical connection between this and the preceding verse; but the combination of "the observance of the Sabbaths" and "the awe of the Sanctuary" is sufficiently intelligible: the festivals were celebrated, with imposing ceremonies, exclusively at the national Temple; most of them were made the occasions for common pilgrimages to the capital and for solemn sacrifices or for joyful offerings presented within the sacred precincts; and on every Sabbath the twelve shew-bread, placed on the golden Table in the Holy, were renewed by the priests in the name of the tribes of Israel. We can well understand that the command, "You shall keep My Sabbaths, and reverence My Sanctuary", became a current maxim; for in a few weighty and comprehensive words it reminded the Israelite of his chief duties as a theocratic citizen (comp. XXVI. 2). It originated, therefore, in a different circle of ideas from that which gave rise to a former

31. Turn not to the necromancers nor to the wizards; you shall not consult *them*, to be defiled by them: I *am* the Lord your God.

32. Thou shalt rise up before the hoary head, and

command, "You shall fear every man his mother and his father; and you shall keep My Sabbaths" (ver. 3) — which seems to have been suggested by the Decalogue (see p. 406). It is hardly probable that, as Maimonides supposes, our precept was meant to call forth a feeling of humility, if the worshipper, in contemplating the sublime holiness of the Sanctuary, compared it with his own frailty and weakness; and still less was it designed to discourage frequent visits in the Temple, which, it is asserted, would thus become less awe-inspiring: such conceptions led the author to the strange view previously referred to, that the ordinances of purity were purposely multiplied in order to prevent the Israelite from appearing too often in the holy place (*supra* p. 194; comp. *Maimon. Mor. Nev.* III. 45, 47).

It is well known that the second Temple, compared with the first, was so humble a structure, that those who had seen the splendour of the old House wept bitterly when the new one was consecrated (Ezra III. 12): may we suppose that the injunction, "You shall reverence My Sanctuary" was intended to impress those whose ideal of a national Temple was not realised by Zerubbabel's edifice? — The Mishnah and Talmud thus defined the fear of the Sanctuary: a man must not come upon the mountain of the Temple with his stick, his shoes, or his pouch, nor with money tied up in his handkerchief, nor with dust upon his feet; he must not sit down in the Court, which was permitted to the Hebrew kings only;

when he leaves it, he must walk backwards; and although it is destroyed, it remains in its holiness; no one ought therefore to sleep between east and west, nor ever imitate the building or any of its chief parts (comp. *Talm. Berach.* 62; *Megill.* 28; *Yevam.* 7; *Maimon. Hilch. Beth Habbechirah* VII; *Hilch. Tephillah* XI; *Hottinger*, l. c. pp. 328, 329).

31. See notes on ver. 26.

32. Old age was deemed sacred for various reasons—first, on account of its infirmities; wherefore the command of our verse concludes with the same words as that enjoining regard for the deaf and the blind — "And thou shalt fear thy God, I am the Lord" (comp. ver. 14); old age was next revered, because it arouses, or ought to arouse, filial sentiments in younger persons; then because it was regarded as the heavenly reward of a virtuous and Godfearing life; and lastly, because it was identified with the matured wisdom of experience, and consequently with the most perfect expression of the Divine similitude of man, as God Himself was called "the Ancient of days" (Dan. VII. 9, 13, 22). A Jewish poet has well expressed the spirit of our precept in these terms: "Distinguish an old man, since he is of the same age as thy father, with equal honours" (Phocylid. ver. 222, Πρέσβυν ἐμὴ λίκτα πατρός ἰσας τιμαῖσι γέραις). It was a common maxim, "With the old is wisdom, and in length of days is understanding" (Job. XII. 12; comp. XXXII. 4, 7; Deut. XXXII. 7; 1 Ki. XII. 6 *sqq.*; Sir. VI. 34; VIII. 9; XXXII. 4, 10); and again, "The hoary head is a

honour the person of the old man, and thou shalt fear thy God: I *am* the Lord.

crown of glory" (Prov. XVI. 31; comp. XX. 29; *Talm. Berach.* 8; Megill. 28^a; Yevam. 105; *Midr. Rabb. Gen.* LIX). "Elders", like *gerontes*, *senatores*, and *patres* among the Greeks and Romans, were a synonym of chiefs and guides, counsellors and judges; they filled the highest magistracies and composed the supreme tribunals (Exod. III. 16; Num. XI. 16; 1 Sam. IV. 3; VIII. 4; 2 Sam. XIX. 12; 1 Ki. VIII. 1; XX. 7; Prov. XXXI. 23; etc. etc.). Hence the ruthless eastern invaders, the ravagers of the holy land, are described as "a nation of fierce countenance, which has no regard for the old, nor feels compassion with the young" (Deut. XXVIII. 50); and in the pictures of wicked men or of degenerate times, disrespect shown to old age seldom fails to be introduced as one of the most reproachful features (Isai. III. 5; XLVII. 6; Lament. IV. 16; V. 12; Wisd. II. 10; comp. also *Philo*, Opp. II. 459, 633). In a commonwealth so thoroughly democratic as that delineated in the Pentateuch, the check of some superior authority like that of the elders, was particularly needed; and the same idea was acted upon by Solon, when he supported his popular institutions by the re-organisation of the Areopagus.

Old age, however, was described in most gloomy colours as "the evil days", and as the years when man says "I have no pleasure in them; when the sun, and the light, and the stars are darkened, and the clouds return even after the rain" (Eccl. XII. 1—5, and *Midr. Rabb.* in loc.; comp. *Talm. Shabb.* 152^a). It was often regarded as an unbearable burden; and considerations kindred to those which prompted the humane commands of

our verse, induced barbarous nations to release old men from their troubles by slaughtering or otherwise destroying them. Among the Bactrians, old men were given over to savage dogs called "entombers" (*ἐνταφιασταί*), to be devoured by them. The Caspii exposed persons over seventy years in a desert place and starved them to death; if the corpses were dragged from their place by birds, the deceased were pronounced happy; if by wild beasts or dogs, less fortunate; but if by none of these, ill-fated. The Derbices, a tribe in Mount Caucasus, put old men to death, and the nearest relations met and consumed flesh; old women were strangled, and then buried (*Strab.* XI. xi. 3, 8). As soon as an Ethiopian Troglodyte had attained the sixtieth year, he hanged himself with a cow's tail; if he omitted to do so, anyone had the right to kill him; for "it was considered the greatest evil, to love life, and yet to be unable to do anything worth living for" (*Diod. Sic.* III. 33). The Calantians, an Indian tribe, sacrificed their old men to the gods, and afterwards ate their flesh, of which the children received the largest portions (*Herod.* III. 38, 99). If among the Massagetae a man had attained to old age, all his kinsmen assembled and offered him up as a sacrifice together with some cattle; then his flesh was boiled and eaten; and "those who thus ended their days, were reckoned the happiest": a man who died of disease was not eaten, and his relatives bewailed his ill-fortune which deprived him of the glory of being sacrificed (*Herod.* I. 216). The Issedonians, in Scythia, did not kill their old men, but consumed their flesh, and then the skulls were set

in gold, and highly honoured and prized (*Herod.* IV. 26). In Sumatra similar usages prevailed in the time of Marco Polo, who relates, that if among the people of Dragoian a person falls ill, and is by the inspired magicians declared to be beyond the hope of recovery, his mouth is closed by experts until he is suffocated, after which they cut his body in pieces, and then "the relatives come together, and in a convivial manner eat the whole of it, not leaving so much as the marrow of the bones" (*Marco Polo*, Trav. Book III. ch. 14, p. 372 ed. Wright).

However, many of the civilised nations of antiquity equalled the Hebrews in reverential regard for the aged. In Egypt "young men meeting their elders in the streets gave way to them, and stepped aside; and if an elder came in where young men were present, the latter rose from their seats" (*Herod.* II. 80); and similar customs prevail in Egypt to this day (*Lane*, Mod. Eg. II. 121). The laws of Manu contain these remarkable sentences: "The spirit of life is ready to escape from a youth at the approach of an old man, but by rising and saluting him, it is saved. A youth who accustoms himself to salute and reverence the aged, has a fourfold gain in length of life, knowledge, fame, and strength" (*Manu* II. 120, 121; comp. *Yājñav.* I. 26, 27, 117; II. 232). The respect shown by the Chinese and Japanese to old age is proverbial, and is only inferior to the homage paid by them to their parents (see *supra* notes on ver. 3, p. 406). In Homer already we find the sentiments that "the immortal gods honour men advanced in years"; and that "the Erinyes avenge insults committed against elders" (II. XV. 204; XXIII. 788). The Spartans especially were famous for their deferential conduct towards their elders: "Young

men were bound not only to honour and to obey their parents, but all their elders, to make room for them in the street, to rise before them and to keep silence in their presence" (*Plut.* Instit. Lacon. cc. 8, 10; *Herod.* II. 80; *Ael.* N. A. VI. 61; *Gell.* II. xv. 2; *Justin.* Hist. III. 3). Nor were the Athenians deficient in this virtue (*Aristoph.* Nub. 993); and Socrates observes, in one of the works of Xenophon: "Is it not everywhere deemed the duty of a younger man to yield the path to the elder when he meets him, and to rise from his seat when he approaches, to honour him with the softest couch, and to give precedence to him in conversation?" (*Xenoph.* Memorab. II. iii. 15, 16; comp. *Diog. Laert.* VIII. 22). In the best times of the Roman republic, we know on good authority, that "the elders were honoured by the younger people almost like gods and parents, and were everywhere and on all occasions distinguished before all others" (*Gell.* II. 15); indeed it was deemed "a fearful iniquity, to be expiated with death, if a youth did not rise before an old man" (*Juvén.* Sat. XIII. 54, 55, *Credabant quod grande nefas, et morte piandum, Si juvenis vetulo non assurrexerat*; comp. *Ovid*, Fast. V. 57, *Magna fuit quondam capitis reverentia cani etc.*; *Cic.* De Offic. I. 34 or 122, *est adolescentis majores natu vereri etc.*).

The Jewish Rabbins enforced our command with the utmost solemnity by maxims like these: "He who receives or takes care of an old man, is rewarded as if he receives and seeks God" (*Talm. Sanh.* 110^a); or "prophets are only believed if they come armed with Divine miracles, but old men at all times" (*Talm. Jer.* Berach.). They extended it, moreover, to learned men and to teachers. Onkelos already renders in our verse, "Rise before one

33. And if a stranger sojourn with thee in your land, you shall not oppress him; 34. The stranger that dwells with you shall be to you as one born among

who is versed in the Law" (עַד כִּן מִי שֶׁנֶּחֱמָד בְּדָתוֹ; and similarly Targum Jonathan, the Samaritan Version, and Abu Said); the Mishnah defines an old man to be "one who has acquired wisdom" (*Mishn. Avoth* IV. 1); and Talmudical authorities teach: the fear of thy instructor is like the fear of heaven; as a man must honour and reverence his father, so, and even more, he must honour and reverence his teacher; if both fall into captivity, his first duty is to release his master; a man who presumes to decide in a matter of learning in the presence of his teacher, deserves death; a pupil must never take his master's seat; he should neither sit down nor stand before him until he receives from him permission to do so; "he must sit before him, as if he were sitting before the king". Similar and many other duties were enjoined with respect to scholars in general (עַד כִּן מִי שֶׁנֶּחֱמָד בְּדָתוֹ); it was declared, that those who insult them have no share in a future life; and yet the principle was upheld, that even scholars are obliged to rise before an old man, whether he be a Hebrew or a heathen, a learned or an illiterate person (see *Talm. Berach.* 8; *Shabb.* 119^b; *Erub.* 62; *Kiddush.* 32^b, 33; *Bab. Mets.* 83^a; *Bab. Bathr.* 119^b; *Sanh.* 5, 17, 96^a, 99^b, 109^b; *Midr. Rabb. Gen.* LIX; *Maim. Hilch. Talm. Tor.* V, VI; *Mor. Nev.* III. 36; *Affirmat. laws* no. 209, עַד כִּן מִי שֶׁנֶּחֱמָד בְּדָתוֹ; *For. Deah* §§ 244, 248; *Hamburger, Geist der Hagada*, pp. 108—113). Pseudo-Phocylides also amplified our command (Αἰδέσθαι πολλοὺς ἀνθρώπους, εἶναι δὲ γέροντιν Ἐδρῆς καὶ γεράων πάντων γενεῇ θαλάθροντες. Πρέσβυν ὑμῶν λίκτα πατρός

καλ.).—According to the Hindoo law, a man who speaks ill of his master, or does not step out of his way in the streets, has to pay a very heavy fine (*Manu* VIII. 275).

33, 34. Inhabiting a land which they occupied by the right of conquest, and which they were never able to subdue completely, the Hebrews were from the beginning compelled to settle their relations with the "strangers", that is, the Canaanite natives. They had a twofold object in view—to guard against the influences of idolatry to which they were exposed from constant intercourse with the heathen, and to conciliate the national animosities sure to linger among subjected tribes. They signally failed in the one object, but they succeeded perfectly in the other, and this success was due to a series of laws singularly humane and judicious. They strove with remarkable consistency to draw the strangers, both politically and socially, more and more closely within the circle of the Hebrew community and of equal brotherhood; they assimilated both the privileges and the duties of Israelites and non-Israelites; and their efforts finally culminated in the two maxims: "One law and one statute shall be for you and for the stranger that sojourns with you" (*Num.* XV. 14—16, 29; comp. *Ex.* XII. 49); and "Thou shalt love the stranger as thyself", which command involves the highest ethical standard attained by the ancient Hebrews (see *supra* p. 415). In no legislative portion of the Pentateuch are the rights of the stranger forgotten. The Decalogue expressly includes him in the repose

you, and thou shalt love him as thyself; for you were strangers in the land of Egypt: I *am* the Lord your God,

of the Sabbath (Exod. XX. 10; Deut. V. 14). The "Book of the Covenant" not only confirms this privilege, but speaks of him almost with the same regard and tenderness as our passage: "The stranger thou shalt neither vex nor oppress, for you were strangers in the land of Egypt", and "you know the heart of the stranger" (Exod. XXII. 20; XXIII. 9). The Deuteronomist pathetically supports the same injunctions with the reason that "God loves the stranger" (Deut. X. 18, 19; XXIV. 14); he assigns to him a share in the gleanings of fields, vineyards, and orchards (Deut. XXIV. 19—22); and he repeatedly exhorts the tribunals to judge him with the strictest impartiality (Deut. I. 16; XXIV. 17; XXVII. 19). The middle Books of the Pentateuch repeat the older provisions with respect to the relief and sustenance of the stranger; they forbid the Hebrews to take from him interest on loans, which they should readily grant; they secure to him all the rights of the cities of refuge in case of homicide; and our verses almost summarise all the preceding enactments on the subject (Lev. XIX. 9, 10, 33, 34; XXV. 35—37; Num. XXXV. 15). The historians and great prophets of the Babylonian period allude to the stranger also with the warmest affection. The first Book of Kings, in the prayer attributed to Solomon, writes, "As to a stranger who is not of Thy people Israel, but comes from a distant country for Thy name's sake (for they shall hear of Thy great name, and of Thy strong hand, and of Thy stretched out arm); when he shall come and pray towards this House; hear Thou in heaven Thy dwelling-place, and do according to all that the stranger entreats of Thee"

(1 Ki. VIII. 41—43). Ezekiel, in describing his ideal commonwealth, ordains, "You shall divide the land by lot for an inheritance to you, and to the strangers that sojourn among you, . . . and they shall be to you as born in the country among the children of Israel; . . . and in what tribe the stranger sojourns, there shall you give him his inheritance, says the Lord God" (Ezek. XLVII. 21—23). And the second Isaiah, writing about a generation later, and also delineating the future organisation of the restored commonwealth, declares, "Let not the son of the stranger that has joined himself to the Lord, speak, saying, The Lord has indeed separated me from His people"; for "the sons of strangers that join themselves to the Lord to be His servants, every one that keeps the Sabbath from polluting it, and observes My covenant, even them will I bring to My holy mountain, and make them joyful in My House of prayer; their burnt-offerings and their sacrifices shall be accepted upon My altar; for My House shall be called a house of prayer for all people" (Isai. LVI. 3, 6, 7): which sentiments are hardly less remarkable than that beautiful utterance of the earlier Isaiah (XIX. 24), "In that day shall Israel be the third with Egypt and with Assyria, even a blessing in the midst of the earth; whom the Lord of hosts shall bless, saying, Blessed be Egypt My people, and Assyria the work of My hands, and Israel My inheritance". We can well understand, how such noble germs, in the course of time, budded forth into the noteworthy command, "Thou shalt love the stranger as thyself".

But in proportion to the stran-

35. You shall do no unrighteousness in judgment, in meteyard, in weight, or in measure; 36. Just balances,

ger's rights, his obligations also were extended. If he desired to enjoy any of the religious prerogatives, he was, from early times, obliged to be circumcised, and thus to recognise the personal sign of the Hebrew's covenant with God (Exod. XII. 44, 48); he had to pledge himself to the faithful fulfilment of the Law, as far as it concerned him, and to attend its public reading on the Feast of Tabernacles every seventh year (Deut. XXIX. 10—14; XXXI. 10—14); he had especially to submit to all the civil and moral statutes, as the "law of retaliation" (Lev. XXIV. 22), and to the precepts of chastity (XVIII. 26); he had, above all, to shun every idolatrous practice, and the profanation of the name of Israel's God (XX. 2; XXIV. 16); he had to conform to all the sacrificial ordinances whenever he desired to present offerings, and to the ceremonies of purification connected with the ashes of the "red cow" (Lev. XVII. 8, 9; XXII. 18; Num. XV. 14—16; XIX. 10); he had to abstain from blood, and as his position became more and more defined, also from חֲמִיצִת and רֵגֵבִי (Lev. XVII. 10, 12, 15; comp. Deut. XIV. 20); he had to keep the Passover (Num. IX. 14), and to fast on the Day of Atonement (Lev. XVI. 29); and Talmudists declared, that any of strangers who infringed "the seven laws of the children of Noah", deserved death (Sanh. 57; see *supra* pp. 9, 10). Many of these points remained indeed long subject to fluctuations, but all tended ultimately towards amalgamating the Hebrews with their non-Hebrew neighbours. Nothing would, therefore, be more incorrect and more unjust than to reproach the Israelites with hatred of the stranger, whom, on the contrary,

they befriended to the full extent permitted by considerations of policy and religion. These limits and the position of the various classes of strangers have been explained elsewhere (see Comm. on Exod. pp. 431—433). It must have appeared particularly important to the young and small colony of Zerubbabel and his successors to secure the good-will of the heathen population that had settled in the country; and they hoped to attain this end best by establishing the closest possible ties of social and religious community. Pseudo-Phocylides expresses indeed our command faithfully (ver. 39, Ἐστῶσαν δ' ὁμότιμοι ἐπηλύδες ἐν πολιτείαις), but instead of supporting it, as our text does, by a fact of Hebrew history, he adduces a general and speculative reason: "For we all lead a restless life in a strange country; and in their native land men find no firm footing".

35. 36. It is commonly admitted, that the administrative organisation, the police supervision, and the execution of penal decrees, were most imperfect among the ancient Hebrews, and that they form the chief defects of the secular legislation of the Pentateuch. In proportion as these drawbacks were felt, moral teachers deemed it imperative to lessen their dangerous effects by emphatically enjoining as private virtues what could not be enforced as public duties. The prophet Amos reproaches the sellers of corn, evidently without being able to threaten them with a legal punishment, that they "make the ephah small, and the shekel great, and falsify the balances by deceit, in order to buy the poor for silver, and the needy for a pair of shoes,

just weights, a just ephah, and a just hin shall you have: I *am* the Lord your God, who brought you out of the land of Egypt.

and to sell the refuse of the wheat" (Am. VIII. 5). Micah announces the most fearful calamities, scourges of nature, and the direct judgment of God, exclaiming, "Are there yet treasures of wickedness in the house of the wicked, and a scant measure that is abominable? Can I be pure with the wicked balances, and with the bag of deceitful weight-stones?" (Mic. VI. 10, 11; comp. Hos. XII. 8). The Book of Proverbs contains a number of sentences declaring, "that a false balance is an abomination to the Lord, but a just weight is His delight" (Prov. XI. 1); or "a just weight and balance are the Lord's, all the weight-stones of the bag are His work" (XVI. 11; comp. XX. 10, 23). And the Deuteronomist begins with fully enjoining the precept, "Thou shalt not have in thy bag divers weights, a great and a small; thou shalt not have in thy house divers measures, a great and a small; thou shalt have a perfect and a just weight, a perfect and a just measure shalt thou have"; and then heads as an inducement for the observance of the precept a promise which has almost a pathetic force, and is appended to the fifth Commandment also: — "that thy days may be lengthened in the land which the Lord thy God gives thee" (Deut. XXV. 13—15). Yet Ezekiel deemed it expedient to give fresh directions on the same subject; and he was not satisfied with simply declaring, "You shall have just balances, and a just ephah, and a just bath", but he fixed the size of the chief measures and the standard of the chief weights (Ezek. XLV. 10—12). And lastly, our author, after introducing the com-

mand in a very comprehensive form, he tries to impress it upon the Hebrews by bidding them remember, that God delivered them from Egyptian bondage by His great *mercy*, and that it is, therefore, not too much to expect from them strict *justice*. The Rabbins worked out the subject with the utmost earnestness; they recommended the appointment of public overseers of weights and measures, and enjoined the severest punishment of any fraud; they forbade merchants to employ for weights materials liable to become lighter by wear or rust; to be quite safe, they advised sellers to give in a certain quantity; and they taught, that "the crime of illegal weights and measures is more heinous than that of incest; that it is, in fact, equivalent to the heresy of denying the Divine redemption from Egypt" (comp. *Philo*, De Just. II. 9; *Talm. Bab. Mets.* 61^b; *Bab. Bathr.* 88—90; *Maimon.* Hilch. Genev. VII. VIII; *Chosh. Mishp.* § 231; *Hotting.* l. c. pp. 332 — 334, 395 — 397). On ephah and hin, two principal measures for dry goods and for liquids respectively, see Comm. on Exod. pp. 296, 297.

The Hindoo law imposes the highest fines not only upon those who falsify scales or measures, but upon official examiners of coins who pronounce a good piece bad or a bad piece good; it inflicts heavy penalties, and partially corporeal chastisement, upon those who overreach customers, give short measure or light weight, adulterate goods, or try to give them a deceptive appearance; and with respect to a trader in counterfeited gold, it enacts that "by order of the king he must be cut in pieces with

37. And you shall observe all My statutes and all My judgments, and do them: I *am* the Lord.

razors," or that "he must at least lose three limbs of his body, and pay the highest fine" (*Manu* VIII. 203; IX. 286, 287, 292; *Yājñav.* II. 240, 241, 244, 262, 297). In Egypt, false coiners and the manufacturers of false weights were condemned to have both their hands cut off (*Diod. Sic.* I. 78); and fraudulent practices of this kind were held in equal detestation by other nations, and were visited with similar punishments (comp. *Virg.* *Aen.* XII. 725, 726, Jupiter ipse

duas aequato examine lances Sustinet; *Pers.* Sat. IV. 10, Scis etenim justum gemina suspendere lance Ancipitis libræ; etc., comp. *Phocylid.* vers. 14, 15, Μέτρα νέμειν τὰ δίκαια, καλὸν δ' ἐπιμέτρον ἐπαντλεῖν· Σταθμὸν μὴ χροῦειν ἐτέρω δ' ὕγον, ἀλλ' ἴσον ἔλκειν).

37. A miscellany of laws so large and so varied as that of our chapter requires a distinct formula to mark it as concluded; and the formula supplied in this verse is both appropriate and emphatic.

CHAPTER XX.

SUMMARY. — Now follows a collection of ordinances, especially on idolatry and incest, the transgression of which is to be severely punished; for such sins would disgrace a people protected by a holy God and meant to be holy like Him, and they would surely cause them to be expelled from their fertile land (vers. 7, 8, 22—26). The laws are directed 1. Against the worship of Moloch by the burning of children, for which crime both the perpetrators and those who connive at it are responsible (vers. 2—5); 2. Against necromancy and soothsaying (ver. 6); 3. Against disrespect of children towards their parents (ver. 9); 4. Against adultery (ver. 10); 5. Against marriage with the step-mother (ver. 11), and 6. with the daughter-in-law (ver. 12); 7. Against sodomy (ver. 13); 8. Against marrying the wife's mother or daughter (ver. 14); 9. Against coition with beasts (vers. 15, 16); 10. Against marriage with a half-sister (ver. 17); 11. Against cohabiting with a woman in her menses (ver. 18); 12. Against marriage with the aunt—the father's or the mother's sister, or the uncle's wife (vers. 19—20); and 13. with a sister-in-law (ver. 21); and 14. Repetition of the interdiction of necromancy and soothsaying (ver. 27).

1. And the Lord spoke to Moses, saying,

1. In no part of Leviticus is it more difficult to discover logical sequence, or even to point out the principles of arrangement that may have seemed logical to the final compiler of the Book, than in our chapter if considered in conjunction with the two preceding ones. We have first laws of incest (ch. XVIII), then a variety of

moral precepts (ch. XIX), and then again mainly laws of incest (ch. XX). That the same author should have written these three sections, and placed them thus incongruously, is out of the question. And was the third series of laws at all necessary? As regards the cases enumerated, it is far less complete than the first; it does

not mention the marriage with the mother and the full sister, the granddaughter, and the mother-in-law; it introduces indeed a new element by specifying in each instance the penalties of the transgressor; but the author, had he been the same who composed the former code (ch. XVIII), would have inserted those penalties in this code or affixed them to it (comp. XVIII. 29). How, then, is this strange irregularity to be accounted for? The compiler, having concluded the ceremonial ordinances, intended, in this division of the Book, to put together the chief moral injunctions which appeared to him necessary to ensure a holy life (see *supra* p. 383); he gave the first place, and not without good reason, to the laws of chastity (ch. XVIII); he then joined with them a variety of precepts drawn from various sources, and so comprehensive that they might well be regarded as an expansion of the Decalogue (ch. XIX); and these two sections, forming indeed in themselves a small digest of laws, were soon held to be inseparably united. We may well imagine that the subjects of consanguinity and affinity, of matrimony and of sexual intercourse in general, engaged the Hebrew legislators at an early period. A few directions are given by the Deuteronomist (XXVII. 20—23; XXII. 22; XXIII. 1, 18); but fuller outlines were drawn up by a thoughtful and more advanced writer deeply imbued with the mission of the Israelites as a holy nation, and fearing the dangers of immorality which threatened their very independence, as it had destroyed that of the pagan Canaanites. Those outlines were no doubt the groundwork both of the systematic survey embodied in a preceding section (ch. XVIII), and of the less exhaustive but more rigorous enactments of our chapter,

which we have reason to believe is the older of the two (see on ver. 18; comp. *supra* pp. 263, 264), and which, just on account of the spirit of inexorable severity that pervades it, was naturally employed as a welcome addition by the final reviser of the Book, unconcerned at the repetitions and incongruities thus inevitably arising. In this manner the analogies as well as the differences of the two chapters may be best accounted for—both of them, besides interdicting marriage between certain relatives, contain the prohibitions of adultery and of intercourse with menstruating women, of sodomy, of coition with beasts, and of human sacrifices offered to Moloch; and both of them enforce their commands by the same menace, conveyed in analogous terms, namely, that immoral or idolatrous practices on the part of the Hebrews will most certainly result in the forfeiture of their conquered land: but the one, the eighteenth, simply states the laws, and merely calls attention to their sacredness by repeatedly adding, “I am the Lord,” your Lawgiver; whereas the other, the twentieth, less complete, and different in arrangement, mentions penalties of the offenders in intelligible gradations—death by stoning and burning or by the direct vengeance of God, penal inflictions imposed by the judges or childlessness. Again, the former warns the Hebrews rather negatively, not to follow the iniquities of the Canaanites, whereas the latter positively and with increasing emphasis exhorts them to strive after the holiness of God, and thus to prove that they merit the distinction of being His elected people.

PHILOLOGICAL REMARKS.—It is not enough to acknowledge a double authorship of the 18th and 20th chapters; it is necessary to explain the numerous and peculiar coinci-

2. And thou shalt say to the children of Israel,
Any one of the children of Israel, or of the strangers

dences of both (which De Wette — *Beiträge* II. 294 — fails to do); yet these coincidences merely prove a common source, and they establish by no means a systematic continuity between the three last chapters (as Ranke — *Untersuchungen*, II. 98—100 — endeavours to point out). Nor ought it to be asserted that our chapter simply expresses "moral detestation", without enacting penal laws (as is supposed by *Graf*, *Geschichtliche Bücher*, p. 77); yet these laws cannot fitly be connected with the ordinances of the 18th chapter by the supposition that "the Law first appeals to the conscience of the individual man on the ground of his relation to Jehovah, and then enacts such penalties as the order of the state required, and as represented the collective conscience of the nation put into operation" (which is suggested in *Cook's Holy Bible* on Lev. XVIII. 24—30); for our chapter makes no allusion to several laws contained in the eighteenth chapter; and the latter not only has a general menace of punishment, "Whoever shall commit any of these abominations, the souls that commit them shall be cut off from among their people" (ver. 29), but in the concluding sentences (vers. 24—30), it manifestly appeals to "the collective conscience of the nation," and even foreshadows *national* calamities. — The resemblance of this with the 19th chapter is very slight; both have only the precepts on soothsaying and filial reverence in common (comp. XIX. 3, 31 and XX. 6, 9, 27), and they were evidently written independently of each other. The eleventh chapter which treats of clean and unclean animals, is of earlier date than ours (comp.

ver. 25 and XI. 16, 17). — On Bertheau's device of combining the fourteen commands of our chapter with the six laws of the seventeenth into two "decalogues", see *supra* p. 346.

3—5. The stern and emphatic severity with which the sacrifices of Moloch are here forbidden, proves how much they tempted the people even in the post-Babylonian period (comp. Deut. XVIII. 10—12); there was in fact a danger that they might be overlooked and connived at by the authorities and the nation. Yet both humanity and the purity of the Hebrew creed which was then developed with unusual zeal, demanded above all the extirpation of those atrocities. Therefore, our legislator exhausts all means, and employs all weapons both civil and theocratic, to terrify the guilty and to awe the wavering. The punishment of the offender, whether he was a Hebrew or a stranger, was to be inflicted by the whole people, as a mark of their abhorrence, and as a powerful warning to all not to imitate his evil example; the punishment was death by lapidation, that is, he was first crushed with stones, and then burnt to ashes, that his body might be removed from the face of the earth and the sight of men (comp. *infra* on ver. 14): if the people, from weakness, or more culpably still, from sympathy with his crime, left it unpunished, the writer threatened that God Himself would avenge the guilt; that He would utterly destroy not only the sinner, but all the members of his family who, above all others, ought to have chastised their wicked kinsman, and also everyone who showed a disposition to follow in his footsteps. This unsparing rigour was justified for two rea-

that sojourn in Israel, that gives of his seed to Molech, shall surely be put to death; the people of the land

sons — because the offender had polluted the soil hallowed by the Temple (comp. XV. 31), and because he had profaned the holiness of God who was the only Ruler of the land and the people, and to whom alone veneration and homage were due (comp. Comm. on Lev. I. 399). The religious spirit which actuated the new colony after its re-organisation by men like Ezra and Nehemiah, worked a beneficial change with respect to the worship of Moloch also; and another code compiled not long after ours indeed repeats the prohibition and the reason, but in a much less vehement form: "And thou shalt not give any of thy seed to let him pass to Molech, and thou shalt not profane the name of thy God: I am the Lord" (XVIII. 21). — The Talmud (Shevu. 39^a) explains: "If one member of a family is a publican (פּוֹדֵל, lit. *oppressor*), all are publicans, and all protect each other; therefore God threatens the whole house with His displeasure and with heavy trials, though the sinner alone shall be destroyed" (פּוֹדֵל וְכָל הַבֵּית אֲשֶׁר עִמּוֹ). However, his relations, by permitting the crime, become his accomplices and, according to our text, share his punishments.

Lapidation, as is well known, was frequently resorted to by excited mobs for the exercise of summary justice or revenge (comp. Ex. VIII. 22; XVII. 4; 1 Sam. XXX. 6; Acts XIV. 5, 19; *Herod.* IX. 5; *Xen. Anab.* I. iii. 1, 2; *Thucyd.* V. 60; etc. etc.). But as a legal punishment it was not usual in the ancient world; it is only mentioned as a Macedonian and a Spanish custom, and as having been occasionally employed by the Romans (*Curt.* VI. xi. 38; *Strab.* III. iii. 7; *Philo*, In Flacc. c. 20). Among the He-

brews, however, it was very common; it was counted as the first and severest of the four modes of inflicting capital punishment — the three others being burning, beheading, and strangling—; and it was in the Pentateuch ordained for a variety of offences, especially those associated with idolatry and incest (comp. vers. 2, 27; XXIV. 10—16; Num. XV. 32—36; Deut. XIII. 6—12; XVII. 2—7; XXI. 18—21; XXII. 20, 21, 23, 24; Josh. VII. 25; 1 Ki. XXI. 10—13; Ezek. XVI. 40; XXIII. 47; 2 Chr. XXIV. 21; John VIII. 5; Acts VII. 58, 59); in certain cases it was even inflicted upon animals (vers. 15, 16; Exod. XXI. 28, 29); and its application was by the Rabbins considerably extended (*Mishnah* Sanh. VII. 1, 4 *sqq.*; *Targ.* Ruth I. 17). As regards the proceedings observed, the Bible contains no hints except the statements that it took place without the precincts of the towns, and that the men by whose testimony the criminal had been convicted, were obliged to throw the first stones (comp. Lev. XXIV. 14; Num. XV. 36; Deut. XVII. 7; 1 Ki. XXI. 10, 13; Acts VII. 58). But the *Mishnah* gives the following account, some features of which are possibly of remoter antiquity. When the offender is being led away to the place of execution, an official remains at the door of the law-court, while a man on horseback is stationed at some distance, but so that the former can see him wave a handkerchief, which he does when anyone comes declaring that he has something to say in favour of the condemned; in this case the horseman at once hastens to stop the procession; if the convicted himself maintains that he can offer proofs of his innocence or extenuat-

shall stone him with stones. 3. And I will set My face against that man, and will cut him off from among his

ing circumstances, he is taken back before the tribunals; and this may be repeated four or five times, if there appears to be the least foundation for his assertions. A herald precedes him all the while, exclaiming, "So and so is being led out to be stoned to death for this and this offence, and so and so are the witnesses; whosoever has to say anything that might save him, let him come forward and say it". Having arrived about ten yards from the appointed spot, he is publicly called upon to confess his sins; for "whosoever confesses his sins, has a share in the future life"; if he is too illiterate to confess, he is ordered to say, "Let my death be the expiation for all my sins". At four yards from the place, he is partially stripped of his garments. When the procession has at last reached its destination, he is conducted upon a scaffolding the height of which is that of two men, and after drinking "wine mingled with myrrh" (Mark XV. 23; comp. Matth. XXVII. 34, 48), to render him less sensible to pain, he is by one of the witnesses pushed down, so that he falls upon his back; if he is not killed by the fall, the other witness throws a stone upon his breast; and if he is still alive, all the people present cover him with stones. When the corpse, which is usually nailed to the cross, is in a state of decomposition, the bones are collected and burnt in a separate place; then his relatives pay visits to the judges and the witnesses, in order to prove that they bear them no hatred, and that they acknowledge the justice of the sentence; and they must show their grief by no external mark of mourning (comp. *Mishn. Sanh.* VI. 1—6; *Goodwin*, *Mos. and Aar.* V.

6, 7; *Carpzov*, *Apparat.* pp. 578—585; etc.).

PHILOLOGICAL REMARKS.—The particle ׀ in בָּאֵן (ver. 2) seems to indicate the close connection between this and the preceding chapters. In XVIII. 21 we find instead of בָּאֵן more clearly בָּאֵן לְבָנֵי יִשְׂרָאֵל (see p. 399). —Jewish tradition explains, that the offender shall be put to death by order of the legal tribunals; but if these have not sufficient power and authority, the people shall kill him (Siphra): this view seems, however, hardly warranted; for the retribution was in the first instance to be carried into effect by the people, who exercised their primitive rights of sovereignty. —בָּאֵן (comp. IV. 27) is rendered by Onkel. emphatically בָּאֵן בְּיָדָא, since the whole "house of Israel" is polluted by the offence. —The third verse (to בָּאֵן) seems almost superfluous; at least it can logically neither be connected with the preceding nor with the following verse; unless it be referred to rites of Moloch practised in secret, without the cognisance of the Hebrew citizens: thus understood, our passage would imply three cases — open crime, hidden transgression, and popular connivance. —אֵן has here (vers. 3, 5, 6), as in XVII. 10, the meaning of wrath (see p. 349); Onk. אֵן אֵן אֵן (comp. *Maim.* *Mor. Nev.* I. 37, where other texts are mentioned in which אֵן is supposed to have the same signification, as Ps. XXXIV. 17; Lament. IV. 16; etc.). —The "defiling of God's Sanctuary" (בְּחִלּוֹת אֶת הַמִּקְדָּשׁ, ver. 3) does not denote "dishonouring the congregation of Israel which is holy to the Lord", or "polluting the people as identified with their Sanctuary" (so Ebn Ezra, Rashi, Nachman, a.o.),

people; because he has given of his seed to Molech, to defile My Sanctuary, and to profane My holy name 4. And if the people of the land in any way turn their eyes from the man, when he gives of his seed to Molech, so that they do not kill him; 5. Then I will set My face against that man, and against his family, and will cut him off, and all that go astray after him, to go astray after Molech, from among their people.

in which sense the Bible never employs the word *שָׁפַח* (XV. 31; Num. XIX. 13; etc. are no parallels); nor does it consist in presenting the sacrifices of Moloch in the Temple (so *Movers*, *Phoenix*. I. 327), which was not done, since they were burnt in the valley of Hinnom (*Comm. on Lev.* I. p. 366). In XXI. 12, 23 the phrase *וְהָיָה עֵינָיו מִן הָאִישׁ* is used in a more literal meaning than in our passage. — The words *וְהָיָה עֵינָיו מִן הָאִישׁ* are properly “and if the people of the land should indeed hide (turn away) their eyes from that man”; and this “turning away” may either be done in anger and vexation (*Isai.* I. 15; *Prov.* XXVIII. 27), or from a desire of overlooking some offence; the latter meaning is intended in our passage; *Onk.* and *Jon.* translate literally *וְהָיָה עֵינָיו מִן הָאִישׁ*; the *Sept.* explains *ἐὰν δὲ ὑπερόψει ὑπερίδωσιν τοῖς ὀφθαλμοῖς αὐτῶν*; the *Vulg.* paraphrases *quod si negligens populus terrae et quasi parvipendens imperium meum dimiserit hominem*; *Luther* has aptly, and *wo das Volk im Lande durch die Finger sehen würde dem Menschen*. Some of the more accurate editions write *וְהָיָה* and *וְהָיָה*, with dagesh in *ה*, in accordance with the Masoretic rule that if, in the middle of a word, a guttural has *shwa* quiescens, the consonant beginning the new syllable takes dagesh (comp. *וְהָיָה* in IV. 13; V. 2, 4; comp. *Gramm.* § 2.b). — In

harmony with the Talmudical explanation above referred to, *Targ. Jonath.* renders in ver. 5, “And I shall choose My time to attend to that man and to the members of his family who take him under their protection, and shall chastise them with painful trials, but the man himself I shall destroy”. *Jonah ben Gannach* and others explain *וְהָיָה עֵינָיו מִן הָאִישׁ* here figuratively, “any one who resembles him”, which interpretation has justly been rejected by *Ebn Ezra* and others, since that sense is rather implied in the following terms *לֹא יִשְׁמַח עִמּוֹ*, which are rendered by the *Sept.* *καὶ πάντας τοὺς ὁμονοῦντας αὐτῷ*, and by the *Vulg.* *et omnes qui consenserunt ei*; but *Onk.* and *Jon.* have more literally *וְהָיָה עֵינָיו מִן הָאִישׁ*.

6, 27. Those who “turn after the necromancers and after the wizards”, to consult them shall be destroyed by God’s direct retribution; but those who “have in them the spirit of the necromancer or of the wizard”, that is, the soothsayers themselves, shall be stoned to death by the Hebrew people (ver. 27); for the first offence may often be committed secretly, whereas the soothsayers, harmless as long as they remain unknown, are amenable to the civil laws when they come forward to practise their dangerous and pernicious arts. See notes on XIX. 26, 31, p. 426.

PHILOLOGICAL REMARKS.— *Rabbini-*

6. And the soul that turns after the necromancers and after the wizards, to go astray after them, I will set My face against that soul, and will cut him off from among his people.

7. You shall, therefore, hallow yourselves, that you may become holy; for I *am* the Lord your God; 8. And you shall keep My statutes, and shall do them: I *am* the Lord who hallows you.

cal expositors account for the difference just alluded to by the supposition, that in the one case the offender remains unpunished because witnesses are wanting, or fail to come forward with their testimony; or because in the one case the transgressor is ignorant of the law, while in the other he has been forewarned (חֲזָקָה; comp. *Talm. Shevu.* 36; *Sanh.* 65; *Rashi* and *Ebn Ezra* on ver. 27). — Though the terms חֲזָקָה and חֲזָקָה are usually *necromancer* and *wizard*, they signify occasionally the *spirit* or *demon* who works in these persons, and to whom reality and power were attributed; and in the latter sense the words are employed in ver. 27, "A man or woman, if there be in them חֲזָקָה or חֲזָקָה" (see *Comm.* on *Lev.* I. 374, 376); and so the *Vulg.* (*vir sive mulier in quibus pythonicus vel divinationis fuerit spiritus*), *De Wette*, and partially the *English Version*. Others, disregarding or misunderstanding the word חֲזָקָה, translate, "If a man or a woman is a חֲזָקָה or a חֲזָקָה"; so the *Sept.* (ὅς ἢ ἐν γένει αὐτῶν ἐγγαστρομυθός), *Luther* (wenn ein Mann oder Weib Wahrsager oder Zeichendeuter sein wird); etc. — The construction of the feminine חֲזָקָה: first with the feminine (חֲזָקָה), and then, according to the sense, with the masculine (חֲזָקָה), is of frequent occurrence (comp. II. 1, and note in loc., *Comm.* on *Lev.* I. 483; comp. also IV. 2; VII. 20, 21; XVII. 15; XVIII. 29; XXII. 6;

etc.). — It is hardly necessary to point out the irregular place occupied by the twenty-seventh verse, which, if not omitted as superfluous, should be linked with the sixth verse (as is done by *Bertheau*, *Gruppen*, p. 210), or ought at least not have been put after the elaborate conclusion which winds up not only this chapter, but a series of sections. That verse appears like an isolated addition, and all speculations in which earlier and recent writers have indulged in order to point out some organic connection with the preceding portions, have been unavailing (comp. *Comm.* on *Lev.* I. p. XVIII note 5.).

7, 8. The ordinances directed against idolatry having been completed, they are marked as a distinct division of the chapter by a separate conclusion, in which the chief principle that underlies all these commands, that of *holiness*, is insisted upon with the utmost force: the Hebrews are called upon to "hallow themselves" by their moral exertions, till they "become holy" and lead a life of piety and righteousness; and they are encouraged to strive after this high aim because God Himself "hallows" them by His guidance and protection, by His laws, and above all by His presence within their community (see pp. 184, 406).

PHILOLOGICAL REMARKS. — About חֲזָקָה חֲזָקָה see on XI. 44, p. 185: the *Sept.* omits חֲזָקָה, and has

9. Indeed everyone that curses his father or his mother shall surely be put to death: he has cursed his father or his mother; his blood *shall be* upon him.

10. And the man that commits adultery with *another* man's wife, that commits adultery with his neighbour's

simply *zal kēcēde d̄yot*, but the Vulgate renders sanctificamini et estote sancti, Luther heiliget euch und seid heilig; Jonathan paraphrases "and hallow yourselves and be holy in your bodies, so that I may accept your prayer with favour". — *לִשְׁמִי יִשְׁתַּחֲוּי* "I am the Lord who hallows you", namely, by electing you from all the nations to be My people, and by giving you laws and institutions designed to lead to a holy life (comp. Exod. XXXI. 13, where *שְׁתַּחֲוִי* is used in connection with the holiness of the Sabbath).

9. Some other enactments threaten death to anyone who "curses" or "smites" his father or his mother (Exod. XXI. 15, 17; comp. Matth. XV. 4; Mark VII. 10); but they have essentially a penal or civil character: in our verse the moral hideousness of the crime is impressed by the emphatic repetition "he has cursed his father or his mother," as if the simple statement of the fact were sufficient to reveal its enormity; and by the addition "his blood shall be upon him," which implies that he deserves indeed the most rigorous penalty, and that pity would be an unpardonable weakness. Similarly the Proverbs declare, "He who curses his father or his mother, his lamp shall be put out in utter darkness" (Prov. XX. 20; comp. XXX. 17). Jewish doctors maintain that the culprit was stoned to death; that the punishment, however, was only inflicted if, in cursing his parents, he had used one of the chief names of God (*שְׁמֵי הַקְּדוֹשִׁים*), but not if he had employed such general epithets of the Deity (*אֱלֹהִים*) as the Al-

mighty, the Merciful, or the Longsuffering, in which case his punishment was flagellation: the penalty is the same whether the parents be still alive or not (comp. *Targ. Jon.* a young man or an old man that curses his father etc.; *Mishn. Sanh.* VII. 4, 8; *Talm. Sanh.* 85^b; *Shevuoth* 37; *Maim. Hilch. Mamrim* c. V; *Yor. Deah* § 241; see *supra* on XIX. 3, p. 406). Parricide is provided for in no code of the Pentateuch (see Comm. on Exod. pp. 397, 398).

PHILOLOGICAL REMARKS. — The particle *וְ* is pleonastically used with *אִם*. — The words *וְאָבִיו וְאִמּוֹ*, which occur only in our section (vers. 9, 11, 12, 13, 16, 27), are rendered feebly by the Sept. *ἐνοχος ἔσται* (he shall be liable sc. *θανάτου*), and so Onk. *אָמָר*, *וְאָבִיו וְאִמּוֹ*, and in ver. 16 *וְאִמּוֹ וְאָבִיו*; Rashi, however, has more appropriately, and after the analogy of *וְאָבִיו וְאִמּוֹ* in Josh. II. 19, "he has brought it upon himself to be killed;" Luzzatto la colpa della morte è in lui (comp. also 2 Sam. I. 16; 1 Ki. II. 37; Ezek. XVIII. 13; XXXIII. 4).

10. Among the laws of chastity, that against adultery justly occupies the first place, as it is concerns not only private morality but the welfare of the community; it almost seems as if these two considerations are implied in the apparently superfluous repetition, "the man that commits adultery with another man's wife, that commits adultery with his neighbour's wife"; that repetition certainly adds emphasis to the interdiction — "the other", who has been injured in his most sacred re-

wife, the adulterer and the adulteress shall surely be put to death. 11. And the man who lies with his father's wife, has uncovered his father's nakedness: both of them shall surely be put to death; their blood *shall be* upon them. 12. And if a man lies with his daughter-

lations, is "a fellow-man" (עַם) whom we are commanded to love as ourselves. The punishment of the crime was probably death by lapidation; it was certainly so in the Babylonian time and in the following centuries; but Jewish tradition contends, that it should be death by strangling (פְּתִיחַ), and that this is meant wherever the Bible simply ordains, "he shall be killed" (יָמוּת מוֹת); comp. Ezek. XVI. 40; XXIII. 47; John VIII. 5; *Mishn. Sanh.* XI. 1—6; *Talm. Sanh.* 52. See notes on XVIII. 20, p. 398).

PHILOLOGICAL REMARKS. — The repetition of the words אִשָּׁה אִשָּׁה has given rise to various strange translations and expositions: Jewish doctors curiously refer them the first time to the wife of a minor, the second time to the wife of a heathen, and deduce from our verse the rule, that a Hebrew woman can conclude a valid marriage neither with a minor nor with a heathen (*Siphra* fol. 92^a ed. Schlossb.; *Talm. Sanh.* 52); or they apply those words the first time to a betrothed, the second time to a married woman (thus Targ. of Jonathan, who moreover adds, that the former was stoned to death, the other strangled — בְּתִיקָה שֶׁהָיָה אִשָּׁה אִשָּׁה "by strangling with a soft handkerchief wrapped round a hard rope"); others contend, that the first time the words mean adultery with any stranger's wife (אִשָּׁה זָרָה), the second time with the wife of a kinsman (עַם), *Heber* quoted by Rosenm. in loc.); and others again, supposing that the words אִשָּׁה אִשָּׁה are a gloss inserted at a later period, when the

phrase אִשָּׁה אִשָּׁה had fallen into disuse (*Geiger*, *Urschrift*, pp. 240—243; *Jüd. Zeitschr.* V. 282), omit those words altogether (Dathe, a. o.). The Septuagint connects both parts illogically by *et*, and the Vulgate by *et*; while Luther takes the second אִשָּׁה אִשָּׁה as an explanation of the predicate, and translates, "Wer die Ehe bricht mit Jemandes Weibe, soll sterben, beide, Ehebrecher und Ehebrecherin, darum, dass er mit seines Nächsten Weibe die Ehe gebrochen hat"; which is quite appropriate as regards the sense, but grammatically inadmissible; for the subject concludes only after אִשָּׁה, as the Masorites also have indicated.

11. See notes on XVIII. 7, 8, pp. 390, 391.

12. See notes on XVIII. 15, p. 394; and about פְּתִיחַ on XVIII. 23, p. 402.

13. See notes on XVIII. 22, p. 400.

14. The punishment fixed in this verse seems cruel and barbarous; for the first wife, whether she be the mother or the daughter, is legitimate and blameless; but we may presume, that the legislator had cases in view when the three persons, the man and both women, had agreed upon the double marriage, and thus shared alike the guilt of incest, or when the man married the mother and the daughter simultaneously. However, looking at the rigorous spirit of this chapter, and taking into account a general conception of antiquity, we may suppose, perhaps with greater probability, that as the first wife, though herself innocent, was the in-

in-law, both of them shall surely be put to death; they have wrought pollution; their blood *shall be* upon them. 13. And if anyone lies with a man, as one lies with a woman, both of them have committed an abomination; they shall surely be put to death; their blood *shall be* upon them. 14. And if a man takes a woman and her mother, it is wickedness; they shall be burnt with fire,

direct cause of an illegal and reproachful alliance, and was thus drawn, however unconsciously, into a vortex of guilt, she was regarded as accursed, and forfeited her life. The same ruthless consistency suggested, that all the relations, the cattle, and other property of a criminal should be given up to destruction like himself; that a beast which had been the cause or instrument of some iniquity should be killed, and its flesh remain untouched; nay that even inanimate objects by which murder had been perpetrated, or which had accidentally occasioned the death of a man, such as an axe or a tree, should be destroyed; the crime cries to heaven, and must be expiated; "the evil must be removed from the midst" of the holy people: such were the principles which earlier generations, partially fettered by notions of fatalism, carried out with a pertinacity bordering on paradox (comp. vers. 15, 16; Exod. XXI. 28, 29; Deut. XVII. 7, 12; Josh. VII. 24; etc.; see Comm. on Genes. p. 179; on Exod. p. 409). We must reject other explanations of our verse, for instance, that by "a woman and her mother" the man's mother-in-law and her mother is meant, as Jewish tradition gratuitously asserts (*Talm. Sanh.* 76^b); or that "they" (הֵנָּה) — the women who are to be put to death — really means "one" (אֶחָד), or "one or the other", so that if the mother was the man's first wife, the daughter shall be killed, and con-

versely, as some Rabbins very curiously suppose (comp. Rashi, Ebn Ezra, Wogue in loc.); or that the three persons shall not really be burnt to death, but merely be branded with a hot iron, to mark them as infamous, as modern interpreters assume against the unquestionable meaning of the Hebrew terms (אֶחָד וְשְׁנֵי; comp. *Clarke* in loc.).

It is true, that "lapidation" seems usually to have been followed by "burning" of the corpse, as is evident from the fate of Achan (Josh. VII. 15, 25); but it would be hazardous to contend, that the Bible uses both terms promiscuously to denote the same punishment. It is related, that a Jewish tribunal, to execute judgment upon the unchaste daughter of a priest, ordered that she should be surrounded by twigs and leaves of the vine, and that these should be lighted, so that she might be burnt to death. But the Rabbins, guided by a very doubtful analogy, supposed, that the burning must be carried out so as to leave the body externally unchanged by the flames, as was held to have been the case with the dead bodies of Aaron's two sons Nadab and Abihu (X. 5; see Comm. on Lev. I. p. 695); they considered, therefore, the decision of the tribunal just referred to as the act of heretical and unlearned Sadducees; and they devised the following mode of proceeding. The criminal is put into dung up to his knees so firmly, that he is unable to

both he and they; that there be no wickedness among you. — 15. And if a man lies carnally with a beast, he shall surely be put to death; and you shall slay the beast. 16. And if a woman approach to any beast, to have connection with it, thou shalt kill the woman and the beast; they shall surely be put to death; their blood *shall be* upon them. — 17. And if a man takes his sister, his father's daughter or his mother's daughter, and sees her nakedness, and she sees his nakedness; it is ungodliness, and they shall be cut off before the eyes of the children of their people: he has uncovered his

move; then a soft handkerchief enveloping a hard one is tied round his throat, and is drawn tighter at the one corner by the first witness, and at the other by the second, till he opens his mouth, into which then molten lead is poured, so that it penetrates into his entrails and burns them. This penalty of "burning" was inflicted in ten cases of incest (comp. Jonath. in loc. וְהַזָּנָה וְהַזָּנָה; *Mishn. Sanh.* VII. 2; IX. 1; *Talm. Sanh.* 55, 67; *Maim. Hilch. Sanhed.* XIV. XV).

15, 16. See notes on XVIII. 22, 23, pp. 400, 401; comp. *supra* on ver. 14. Targ. Jonath. renders "you shall kill the man by lapidation, but the beast with a club (וְהַבְּהֵמָה); while other Jewish interpreters contend that the beast likewise was stoned to death (comp. *Siphra* in loc.; see also *Talm. Sanh.* 54, 55).

17. The abhorrence felt by the author at the idea of conjugal intercourse with a half-sister was so intense that he accumulated expressions both of moral detestation and of legal guilt; this vehemence was perhaps partially prompted by the circumstance, that the Hebrews had for very long periods deemed marriages with the half-sister unobjectionable, and that they were likely to be strengthened in this habit by their contact

with the Persians (see notes on XVIII. 9, 11, pp. 391—393, and p. 357). The punishment here threatened by the author was no doubt meant to be death by the ordinary tribunals, not by the vengeance of God.

PHILOLOGICAL REMARKS. — וְהַזָּנָה seems to be one of the strongest terms used in denouncing unlawful marriages, such as וְהַזָּנָה, וְהַזָּנָה (p. 386); by way of antiphrasis, it means both grace and disgrace (comp. XIV. 34; Prov. XXV. 10; וְהַזָּנָה to bless and to curse, etc.); and as it signifies sometimes God Himself (Ps. CXLIV. 2; Jon. II. 9), it is here *ungodliness* or impiety: most of the earlier translators have *disgrace*, so Sept. *ἀναιδία*, Onk. וְהַזָּנָה (in Gen. XXXIV. 14, he renders וְהַזָּנָה by וְהַזָּנָה), Jon. וְהַזָּנָה, Rashbi וְהַזָּנָה, and similarly Rashbam and Ebn Ezra, Luzzatto *cosa ignominiosa*; but Vulg. *nefaria res*, Luther *Blutschande*; see also *Nachman.* in loc. Targ. Jonath. reproduces the Jewish view that before the revelation of the Law, God mercifully permitted marriages with sisters that the world might be peopled (comp. *Talm. Sanh.* 58^b; see *supra* p. 357 note 14).—It is difficult to see why the man, and not also the woman, should "bear the iniquity"; hence the Vulg. translates וְהַזָּנָה by *portabant iniquitatem suam*; it may be that, though the punish-

sister's nakedness; he shall bear his iniquity. — 18. And if a man lies with a woman *while she is* unwell, and uncovers her nakedness; he has laid bare her fountain, and she has uncovered the fountain of her blood; and both of them shall be cut off from among their people. — 19. And thou shalt not uncover the nakedness of thy mother's sister, nor of thy father's sister; for *such a one* lays bare his kinsman; they shall bear their iniquity. 20. And if a man lies with his uncle's wife, he has uncovered his uncle's nakedness: they shall bear their sin;

ment of both parties was the same, the man's guilt was considered to be greater, since, as a rule, he was held to be the originator of the offence; but the singular number in the words quoted may merely be an incongruity of style not unfrequent in this chapter (see f. i. ver. 19, comp. on ver. 6), while in vers. 19, 20 the plural is used, *והם ינשאו* and *והם ינשאו*.

18. This law well illustrates the fluctuations to which penal ordinances were subjected as the spirit of the times changed, and new light was gained by better experience. For it enacts death for an offence for which a later code (XV. 24) merely prescribes uncleanness during seven days; this inconvenience was then deemed sufficient to deter men from a practice that was indeed always regarded as a physical defilement, but gradually ceased to be held either injurious or criminal. We admit that the wording of both laws—ours and that of XV. 24—affords some specious grounds for harmonising them; but a sound and unbiassed interpretation can hardly agree with the device (see pp. 263, 264).

PHILOLOGICAL REMARKS. — *אשה כי ירדו* *והיא חלשה*, is literally a woman that is unwell, i. e. a woman in her menses (comp. XII. 2, and *supra* p. 211); thus Vulg. *mulier in fluxu menstruo*, Ebn Ezra *היא חלשה במעי*, Luth. *zur Zeit ihrer Krankheit*; but Onkel. *אשה חלשה*, and

Sept. *γυνή ἀποκαθήμενη* "a woman sitting apart" or shunned on account of her uncleanness (*נקיה*). — *מקור דמיה*, properly, "the fountain of her blood" (comp. XV. 19, *הוא מקור דמיה* *והיא חלשה*); so the Sept. in XII. 7 (*πηγή τοῦ αἵματος αὐτῆς*), where, however, it is the flow of blood itself, as the Sept. renders inaccurately in our verse (*ῥοαί τοῦ αἵματος αὐτῆς*); Vulg. correctly *fons sanguinis*, Luther *Brunnen ihres Blutes*; but Onk. again *הוא מקור דמיה* the defilement of her blood.

19, 20. See notes on XVIII. 12–14 p. 393. While in all preceding cases transgression is avenged by death, the marriage with the aunt is merely stamped as "an iniquity to be borne" by the offenders, and probably to be punished as the judges may deem fit; and the marriage with the uncle's or the brother's wife is menaced with childlessness, which, in the eyes of the Hebrews, was hardly less calamitous than death. It is evidently meant as a heavenly and supernatural retribution; and the term "childlessness" is to be taken literally, implying that such a union will not be blessed with offspring (comp. Gen. XV. 2; Jer. XXII. 30); it does not express that "the children resulting from the alliance, shall be regarded as belonging to the husband's departed brother, and not to the pa-

they shall die childless. — 21. And if a man takes his brother's wife, it *is* uncleanness: he has uncovered his brother's nakedness; they shall be childless.

22. And you shall keep all My statutes and all My judgments, and shall do them; lest the land, whither I bring you to dwell therein, vomit you out. 23. And you shall not walk in the statutes of the nations, which I cast out before you; for they committed all these *things*, and therefore I abhorred them. 24. And I have said to you, You shall inherit their land, and I will

rents, who shall be considered as civilly dead"; nor does it denote that the children shall be held illegitimate, and shall have no right of inheritance (St. Augustin; Schol. Vatican *οὐ λογισθήσεται τὸ σπέρμα αὐτῶν εἰς τέκνα*; *Michaelis*, Mos. R. § 116; *Ehegesetze Mosis* § 76; *Thiersch*, Verbot der Ehe innerhalb der nahen Verwandtschaft, p. 20).

PHILOLOGICAL REMARKS. — The first part of the 19th verse is expressed in the negative form *לֹא יִלְדוּ*, and in the second person, which is also employed in that part of our chapter which introduces the general principle of the chief laws (vers. 7, 8). Thus a strange irregularity of construction arises, which in the second part of the verse is enhanced by the transition from the singular into the plural (*לֹא יִלְדוּ* and *וְלֹא יִלְדוּ*): the Syriac Version has *לֹא יִלְדוּ*, thus trying to effect symmetry at least in one respect. — Rabbinical interpreters distinguish between *וְלֹא יִלְדוּ* and *לֹא יִלְדוּ* (ver. 21), and aver that the former means that the couple will have children, but will lose them; the latter, that they will remain childless (*Talm. Yevam. 55*; *Siptra* in loc.), because the one case treats of cohabitation with a woman absolutely forbidden, the latter of marriage with a woman conditionally permitted (Wogue); which distinctions are unfounded. The Sa-

maritan text has in both verses *וְלֹא יִלְדוּ*, and the Sept. in both *ἀποθανοῦνται*. — Sadducee and Karaite writers strangely explain that *וְלֹא יִלְדוּ* is heresy-nonymous with *וְלֹא יִלְדוּ* *naked*, and suppose that the offenders were publicly exposed, and perhaps then put to death (comp. *Menah. ben Saruk sub* *ו*, ed. Filipowski p. 137; *Ebn Ezra* in loc.).

21. See notes on XVIII. 16, p. 394.

22—26. These verses form a worthy conclusion to the long series of the laws of purity, both physical and moral, which constitute the second great division of the Book of Leviticus (ch. XI—XX). They allude to nearly all the principles, motives, and ends which the Hebrew was desired to remember in the observance of those precepts; but they lay particular stress upon two points, one of a practical, and one of an ideal nature. The mission which the Israelites had received of executing God's judgments upon the Canaanites, was to serve them as a constant warning against heathen depravity, and as a powerful incentive to piety and righteousness; and it was to remind them that they should not be satisfied with ordinary standards of virtue and excellence, but try to imitate God Himself, and consider Him not only as their Protector and King, but as their great example. Hence, while, as a rule, the laws of other

give it to you to possess it, a land that flows with milk and honey: I *am* the Lord your God, who have distinguished you from the nations. 25. You shall therefore make a distinction between clean beasts and unclean, and between unclean fowls and clean; and you shall not make your souls abominable by beast, or by fowl, or by any manner of *living thing* that creeps on the ground, which I have singled out for you as unclean. 26. And you shall be holy to Me; for I the Lord *am* holy, and I have distinguished you from the nations that you should be Mine.

27. And a man or a woman that has the spirit of the necromancer or of the wizard, shall surely be put to death: they shall stone them with stones; their blood *shall be* upon them.

nations actually reflect their national character and history, those of the Hebrews merely represent high aspirations: and many of their religious and political ordinances remained ideas, without ever becoming realities.

PHILOLOGICAL REMARKS. — Similar principles and exhortations are conveyed in XI. 44—47; XVIII. 3—5, 24—30; XIX. 2; and we refer the reader to the observations made on these passages (comp. also Exod. XIX. 4—6; Lev.

XXV. 23; Isai. XXIV. 1—6). — **לְבָנִי** (in ver. 23) has a collective sense, the nations, as in XVIII. 28, etc. — In **אֲשֶׁר** **אֲנִי מְבָרֵךְ** (ver. 25) **אֲנִי** is construed with the accusative, as in Gen. IX. 2. — The words **אֲשֶׁר הִנֵּיתִי לָכֶם לְטָמֵא** are literally “which I have singled out for you to declare unclean”, that is, to be held unclean (comp. **אֲנִי מְבָרֵךְ** to declare clean, XIV. 7, 48, etc.).

27. See notes on vers. 6, 27, pp. 444, 445.

V.

SUPPLEMENTARY LAWS ON THE PRIESTHOOD AND SACRIFICES.

CHAPTERS XXI, XXII.

SUMMARY. — A priest shall not defile himself for the dead, except for his nearest blood relations, viz. father and mother, son and daughter, brother and full sister if an unmarried virgin (XXI. 1—3), but not for a wife or her relations (ver. 4). He shall yield to none of the usual forms of violent mourning (ver. 5), for he is holy to his God (ver. 6). For the same reason, he shall marry no dishonourable and no divorced woman; and if a priest's daughter is guilty of immoral conduct, she is to be burnt to death (ver. 9). The High-priest, besides being subject to the same rules as the common priests, shall not even defile himself for his dead parents, and he must only marry a virgin (vers. 10—15). — Aaronites afflicted with a bodily defect, are forbidden to do the service of the Sanctuary, though they may eat of the priestly portions of holy gifts and offerings (vers. 16—24). Anyone of them who consumes these portions in a state of impurity, whatever the cause, is threatened with excision by the hand of God (XXII. 1—7). A priest must not eat the meat of animals that have died of themselves or have been torn by wild beasts (vers. 8, 9). He may share the holy food with slaves he has purchased or who have been born in his house, but not with his "sojourners" and hired servants, nor with his married daughter if her husband is no Aaronite; however, if she becomes a widow or is divorced, and has no children, she may eat of her father's food in his house (vers. 10—13). An Israelite partaking of the holy things unintentionally, must restore to the priest what he has eaten, and add to it the fifth part of its value (vers. 14—16). — The offerings and sacred gifts, whether presented by a Hebrew or a stranger, to be acceptable to God, must be free from all blemishes; a slight exception is, however, made with respect to free-will offerings, for which animals with limbs abnormally large or small (עֲרֵב רַגְלָיִם; עֲרֵב עֵקֶב ver. 23) are admitted (vers. 17—25). — No animal is to be offered that is not at least seven days old (vers. 26, 27). — A beast and its dam must

not be slaughtered on the same day (ver. 28). — The meat of praise-offerings is to be consumed entirely on the day when they are presented (vers. 29, 30). — Then follows an exhortatory conclusion (vers. 31—33).

1. And the Lord said to Moses, Speak to the priests, the sons of Aaron, and say to them, There shall none

1—15. In order justly to estimate the spirit of these and the following ordinances, it is essential to consider their probable date and origin. A few obvious combinations will assist us in this inquiry. We find in our chapter the dignity of the "High-priest" (כֹּהֵן גָּדוֹל) not only firmly established, but surrounded with supreme sanctity, and clearly defined in its relation to that of the common priests (see vers. 1—9 and 10—15). But we have elsewhere tried to prove, by comparing the various notices of the historical and prophetic Books, that the office of High-priest, as conceived and described in the Pentateuch, did not exist among the Hebrews before the Babylonian exile, and that it is similarly conceived or described in no other part of the Hebrew Canon: it had, until an advanced period, no specific name, and occasionally two principal priests are mentioned with equal rights and powers. The High-priest of the Pentateuch was, in fact, one of the latest creations of the hierarchy; he was a logical link in an elaborate theory, the crowning stone of a largely planned edifice, at once the perfect type and the representative of the nation of priests—one, hereditary, holy, and inviolable (see Comm. on Lev. I. pp. 574—576, 631, 649). Not even Ezekiel, in sketching his ideal theocracy, mentions a chief of the priests, but invests all the members of the order with the same prerogatives, and imposes upon all the same duties. Thus he ordains that "the priests the Levites the sons

of Zadok" shall "take for their wives neither a widow, nor one that is divorced, but they shall take virgins of the seed of the house of Israel, or a widow that had a priest before" (עַל מַלְאָכָא, Ezek. XLV. 22). The levitical compiler of our chapter had no doubt this passage in his mind, as we have before pointed out that not a few of the levitical laws were based upon the writings of Ezekiel (see p. 386); but he was obliged to deviate from his source in so far as he had to make a distinction between High-priest and common priests; and he enjoined that the former should marry none but a virgin, whereas he permitted the latter to take widows from any Hebrew tribe (vers. 7, 13, 14), thus being more stringent than the prophet with regard to the one, more lenient with regard to the others. Again, Ezekiel allowed all priests alike to attend to the dead bodies and the funeral rites of their fathers and mothers, their sons and daughters, their brothers and unmarried virgin sisters, and he forbade all alike to shave their heads and to let their hair grow dishevelled (Ezek. XLIV. 20, 25); but our author, again both more severe and more indulgent, forbade the High-priest to approach even the bodies of his parents, while he had no objection to common priests evincing their grief as mourners by allowing their hair to grow, and rending their garments (vers. 5, 10). The gradation had, in our legislator's time, become more marked and decisive; and extending

defile himself for the dead among his people. 2. But for his kin that is near to him, *namely*, for his mother,

downward to Levites, Non-Levites, and menial assistants (or *Nethinim*), it completed that hierarchical organisation which has been the object of so much undeserved blame and of so much undue praise (see Comm. on Lev. I. 578, 582—585, 587—597). We must, therefore, not expect to find in the laws of these sections that spirit of freshness and freedom which stirs a youthful nation, and which even now breathes in the works of the Hebrew prophets; we must rather be prepared for a spirit of severity and awe weighing down a struggling and sorely tried people, labouring in vain to ensure a noble and righteous life by a complex formalism.

The Hebrew priests were "holy to their God", and they ministered at the Sanctuary, the abode of life, in order to secure the spiritual energy of a chosen community; they owed it, therefore, both to God and the people, to shun uncleanness, and above all uncleanness caused by death. The priests of other ancient nations had indeed to observe similar rules; but they observed them to maintain their own sanctity and that of the deities they served; they were guided by no considerations for the inner life of the people, who followed their worldly pursuits, and guarded their secular interests. Thus the Egyptian priests and overseers of sacrifices were bound to keep aloof from "burials and graves, from impure men and menstruating women" (*Porph.* Abst. II. 50). Plato recommended that the Greek priests should shun tombs (*Plat. Legg.* XII. 3, p. 947 D). The Roman Flamen Dialis "never approached a place where there was a tomb with ashes, and never touched a corpse, though he was permitted to attend to fune-

ral rites" (*Gell.* X. xv. 24). It was customary in Rome, to place a bough of the cypress tree before a house in which a dead person was lying, "lest a chief priest enter unwittingly and defile himself" (*Serv.* ad Aen. III. 64). No priest or augur was permitted "to engage in ceremonies of the dead" (*Tacit.* Ann. I. 62). If anyone invested with sacerdotal dignities delivered a funeral oration, he spoke behind a curtain, though he was not forbidden to look at the corpse (*Dion Cass.* LIV. 28, 35; *LVI.* 31; *Senec.* Ad Marc. de Consolat. c. 15). However, Lycurgus, to banish prevailing superstitions, repealed all the common rules of defilement through the dead (see *supra* p. 198), permitted burials near the temples, and forbade weeping and lamentation (*Plut.* Institut. Lacon. c. 18); and the law of the Hindoos, which offers so many analogies with that of the Hebrews, extending the principle of relationship to the spiritual sphere, permits the student to bury not only his dead father and mother, but his instructors in the Vedas, and the Brahmin who invested him with the holy cord (*Manu* V. 91; comp. Comm. on Levit. I. 572).

Although the maxim, "A man shall leave his father and his mother, and shall cling to his wife" (*Gen.* II. 24), remained among the Hebrews no empty phrase, as it became one of the leading principles of the laws of matrimony (p. 358); it could not be carried out to its full depth and extent as long as polygamy was legal; the idea of husband and wife being "one flesh" can only be realised if the man has only one wife, or at least only one wife at a time; therefore, a conjugal couple was assumed to be less closely allied than blood-relations; and

and for his father, and for his son, and for his daughter, and for his brother, 3. And for his sister, a virgin

priests, though permitted to approach the dead bodies of some of the latter, were absolutely forbidden to "defile and profane" themselves as husbands (ver. 4); for they were not to take part in the obsequies of their wives or of any of their wives' kinsmen. Thus here again a fine principle was partially unapplied, because it was opposed to popular notions and habits. Later Judaism, however, advancing in the right direction, placed the wife, and even the betrothed, in the same position as the six blood-relations enumerated in our text; and it included also the half-brother and half-sister, whether they were of the same father or the same mother as the priest. The Rabbins, moreover, held that the rules here given concerned only Aaronites fit for the holy service; and that they must still be observed by the male descendants of those families; the former decision is no doubt in harmony with the spirit of our text, while the latter is not, as the Aaronites, after the destruction of the Temple, can perform no functions as holy intercessors in behalf of the people (comp. *Talm. Yevam.* 60^a; *Nazir* 42^b; *Macc.* 21^a; *Maim. Hilch. Avel* cc. I—III; *Yor. Deah* §§ 365—374).

Though the priests were allowed to take part in the funeral rites of their nearest relations as a tribute of affection, they were never to forget that their mission required constant and undisturbed serenity; that their outward appearance must never reflect sadness and distress, decay or death; and that, just in bereavement and affliction, they must prove by their calm demeanour that they knew how to merge worldly sorrows and interests in their Divine duties and aspirations (comp. *Deut. XXXIII. 9*): for they

themselves were "near God" (קריבים), and they had to "bring near Him" (הקריב) those offerings which were "His food" (אֵכָל), and by which the people conveyed their feelings of devotion and penitence (see *Comm. on Lev. I. 560*). By disturbing their peace of mind and yielding to earthly cares, the priests profaned the name of God, or His holiness. Therefore, they were forbidden to indulge in any external sign of mourning; they were neither to shave their head, nor to mutilate their beard; much less were they to make incisions in their flesh, by which the body would be permanently disfigured. These are indeed intelligible emblems of grief, and were commonly employed as such in the ancient world.

The hair of the head, regarded as a sign of vitality and strength, and therefore often used as a metaphor or a correlative of luxuriant growth and produce, was cut off to symbolise that the hand of death had cut off one that had once enjoyed life and vigour (comp. *Job I. 20*). Conquerors, desirous to show their power, allowed their hair to grow; while the defeated, to mark their weakness and disgrace, cut it off (*Herod. I. 82*; comp. *Isai. III. 17, 24*; *VII. 20*; *XV. 2*; *XXII. 12*; *Jer. XVI. 6*; *XLVIII. 37*; *Ezek. VII. 18*; *Am. VIII. 10*; *Mic. I. 16*; etc.; see also *Ezra IX. 3*). Young men vowed their locks to the gods, and deposited them in the temples as a proud sign of manhood. Locks of hair were, often profusely, placed on the bier, the corpse, or the tomb of beloved friends and relatives (*Hom. II. XXIII. 135, 141—153*; *Soph. Electr. 51—53*; *Eurip. Orest. 96*; *Troad. 1182*; *Quint. Smyrn. III. 685*; *Ovid. Metam. VIII. 526, 527*;

that is nigh to him, who has had no husband, for her may he defile himself. 4. A husband shall not defile himself

Trist. III. iii. 51; *Stat. Theb.* VI. 194—196). Shedding tears and shearing the hair, says Homer, are the only honours we can accord to the dead (*Hom. Od.* IV. 197, 198; comp. *Cic. Tusc.* III. 26 or 62). When a Persian chief died, his subjects cut off not only their own hair but that of their horses and beasts of burden (*Herod.* IX. 24; comp. *Jon.* III. 7, 8). The only exception to the general custom were the Egyptian priests, who regularly every third day shaved off all the hair of their body for the sake of cleanliness, but allowed it to grow in times of mourning (*Herod.* II. 36, 37).

On the beard as a symbol of manliness and dignity, and on cuts and incisions made in the body as marks of grief and as means of expiation, we have above made a few observations which apply with even greater force to the priests than to the people (see on XIX. 27, 28, pp. 427—429). But with regard to the High-priest, who was now raised to the loftiest eminence both in his duties and privileges, two other ceremonies of mourning were proscribed: he was not to let his hair be dishevelled, and he was not to rend his garments (ver. 10); though these most usual forms of expressing grief were doubtless originally forbidden to the entire priesthood (see *supra*; comp. Comm. on Lev. I. p. 697). Neglected and disarranged hair was not only deemed undignified in the High-priest, but unbecoming in one who ministers before his Lord and King. Rending of the garments, always suggestive of overpowering sorrow, and of happiness irrevocably destroyed, would have been sinful in the High-priest, whose vestments, made "for glory

and distinction", symbolised his holy mission and functions, bore sacred emblems, and conveyed, both individually and collectively, the ideas of unity and integrity, and therefore also of inward harmony and peace (see Comm. on Exod. pp. 522—580; on Lev. I. 580).

We may trace these laws likewise to the works of Ezekiel as their source. Alluding to the impending death of his wife, the prophet writes: "The word of the Lord came to me, saying, Son of man, behold, I take away from thee the delight of thy eyes with a stroke; yet thou shalt neither mourn nor weep, nor shall thy tears flow; forbear to cry, make no lament for the dead, bind the turban of thy head upon thee, and put on thy shoes upon thy feet, and cover not thy beard, and do not eat the bread of men. So I spoke to the people in the morning, and in the evening my wife died; and I did in the morning as I was commanded" (*Ezek.* XXIV. 15—18). And as a practical illustration of these severe rules of self-control, the levitical compilers inserted the commands given to Aaron and his two younger sons when the two elder ones had suffered a sudden and awful death for profaning the Sanctuary: "Do not let your heads be dishevelled, nor rend your clothes, lest you die, and lest He be wroth upon all the congregation; . . . and you shall not go out from the door of the Tent of Meeting, lest you die; for the anointing oil of the Lord is upon you" (*X.* 6, 7). Yet we have proofs that the priests were not always subjected to the same austerity; on special emergencies they adopted all the ordinary marks of affliction and distress (2 *Ki.* XIX. 2); in earlier times their

among his people, to profane himself. — 5. They shall not make baldness upon their head, neither shall they shave off the corner of their beard, nor make any cuttings in their flesh. — 6. They shall be holy to their God,

human feelings and affections were allowed fuller scope; domestic grief was accepted as a valid plea for neglecting even the most important official duties; in fact, the unnatural "killing of the flesh", which later assumed so many deplorable forms, was a fruit of that hierarchical over-refinement which unreasonably divided the unity of human powers, and created an artificial and fatal opposition between man's spiritual and worldly instincts (comp. X. 16—20; see Comm. on Lev. I. 637, 704—706).

Nor could even in much later periods that unbending rigour be maintained; nature, stronger than the most logical organisation ever devised, asserted its rights, and broke through the burdensome trammels; and we find priests and High-priests giving vent to passionate grief and indignation by rending their garments, by covering their heads with ashes, and sitting in sackcloth; and the Mishnah, yielding to necessity, legalised rites of mourning for the High-priest, and merely controlled them in accordance with his dignity, ordaining, for instance, that in bereavement he should rend his garments in the lower parts where the tear is less visible, while others must rend them across the chest; and that he should sit on a couch while others sit on the ground (comp. 1 Macc. XI. 71; Matth. XXVI. 65; Jos. Bell. Jud. II. xv. 4; *Mishn.* Horay. III. 5; Sanh. II. 1; comp. *Porph.* Abstin. II. 50).

As according to the Pentateuch, the Hebrews were singled out from the nations, and the priests from the

Hebrews, for holiness and the diffusion of spiritual truth, the one were not to intermarry with pagans (see p. 356), and the others were in their matrimonial relations always to remember their sacred calling (see p. 366); and as their office was hereditary, it was the more incumbent upon them to study the purity of their race. They were, therefore, forbidden to marry a disreputable (*חַיִּי*) or a fallen woman (*חַיִּי*), or even one that had been divorced from her husband, since in the latter case also she was, as a rule, not free from guilt; while the High-priest was besides to take no widow, probably because she had already borne another name, or because, as Philo expresses it, "the holy seed was to be sown in a pure and untrodden field, and the offspring should have no admixture of the blood of any other house" (*Philo*, De Monarch. II. 9); he was, in fact, to take none but a blameless virgin; by any other alliance he would "profane his seed among his people" (ver. 15). But the levitical legislator did not go farther; he did not desire to extend to the social sphere the strong religious separation that had been established between the priests and the people; he permitted the High-priest to marry a virgin, and the common priest a virgin or a widow, from whatever tribe; he could not make the barrier between the sacerdotal order and the other classes of the Hebrew people as rigorous as between the latter and the pagan nations, since the entire Hebrew community was invested with holiness, and the creation of so-

and not profane the name of their God; for they present the offerings of the Lord made by fire, *which are* the food of their God; therefore they shall be holy. 7. They shall not marry a courtesan or a dishonoured woman, nor shall

cial castes was impossible. However, as the holiness of the people differed from that of the priesthood not only in degree but in quality, the notion gained ground in the course of time, that priests ought to marry within priestly families; and it seems that during the last centuries of the Jewish commonwealth this view was extensively acted upon (comp. Luke I. 5). Josephus indeed merely states that a priest's wife must be a Jewess who has neither been a captive, nor has been married to a foreigner, one who has never gained her living by a cheating trade or by keeping an inn, so "that the stock of the priests may continue unmixed and pure" (Ap. I. 7; Ant. III. xii. 2); and Philo says essentially the same in reference to common priests; but as to the High-priest, he observes with great decision that God "commanded him to marry not merely a woman who was a virgin, but also one who was a priestess, the daughter of a priest, so that both bridegroom and bride might be of one house, and as if it were of one blood" (De Monarch. II. 11). Yet such a law occurs nowhere in the Pentateuch, and was subsequently devised because it seemed logically to follow from the position and office of the High-priest; just as later teachers assumed as positively that he ought to live in monogamy. That stricter view seems already to be expressed in the Septuagint version, and was therefore the more readily adopted by Philo (see Philol. Rem.). Clerical celibacy, which was compulsory in some Greek tribes, could not be tolerated, much less recom-

mended or enjoined among the Hebrews, who regarded marriage as an important religious duty (see *supra* pp. 375, 376; comp. *Paus.* VII. xxv. 8; VIII. xiii. 1).

It is well known how scrupulously and anxiously, in later times, the genealogies of the priests were preserved, and those of their wives scrutinized. The documents were sent from all countries to the central authorities in Jerusalem. No woman was admitted as a priest's wife, unless her descent was found blameless and legitimate four or five generations upwards. The stricter Rabbins declared that, as a rule, a priest must not marry the daughter of a foreigner or of a released slave even in the tenth generation; though he may marry a woman whose father or mother was a proselyte. If a town had been besieged and was taken by the enemy, the wives of all the priests were divorced from their husbands, because they were supposed to have suffered violence, unless the contrary was established by valid proofs. John Hyrcanus, according to a narrative preserved by Josephus and the Talmud, fell away from the Pharisees and joined the Sadducees, because the former had not given him sufficient satisfaction when, at a public banquet, some one had declared that he—Hyrcanus—should be content with the civil government, but should resign the office of High-priest, since his mother had been made prisoner at the capture of Modin. The Jews boasted that they possessed lists of their High-priests, from father to son, ex-

they take one that has been divorced from her husband; for he is holy to his God. — 8. Thou shalt therefore sanctify him; for he presents the food of thy God; he shall be holy to thee; for I, the Lord who sanctify

tending over more than two thousand years, though we know that the succession was broken more than once, and that the High-priesthood was altogether of very late introduction. Even in the time of Ezra and Nehemiah many priests married foreign wives, and the Mishnah alludes to a High-priest who married a widow.

Some other nations were hardly less careful with regard to priestly marriages. Thus the Hindoo law ordains that a Brahmin should choose a wife not from a family distinguished by great wealth, but from one which has produced at least ten illustrious scholars, and which is free from all hereditary infirmity and illness; she must be a virgin of his own caste; one "who has all the attributes of excellence"; her name should be agreeable and auspicious; she must not be related to the Brahmin either from the father's or the mother's side up to the sixth generation; she ought to have neither too much nor too little nor reddish hair, and to be healthy and comely; "her gait should be graceful like that of a flamingo or a young elephant"; she must not be "intolerably loquacious"; she must have brothers, lest her father take away her eldest son to bring him up as his own child; she should be younger than her husband, and he must truly love her (comp. *Ezr.* II. 62; *IX.* 1, 2; *X.* 18, 19; *Neh.* VII. 64; *XIII.* 28—30; 2 *Chron.* XXXI. 16—18; *Philo*, *De Monarch.* II. 8—11; *Joseph.* *Vit.* 1; *Ap.* I. 7, and *Zipser* ad loc.; *Ant.* XIII. x. 5; *Mishn.* *Bikkur.* I. 5; *Yevam.* II. 4; VI. 4, 5; *Kethuv.* II. 9; *Kiddush.* IV. 4—6; *Midd.* V. 4;

Talm. *Yevam.* 56^b, 59^a, 61, 68, 79^b, 84; *Kethuv.* 17; *Kidd.* 66^a, 71; *Manu* III. 4—12; *Maimon.* *Hilch. Issur. Biah.* cc. 17—19; *Even Haēzer* § 6; *Selden* *De Success.* in *Pontific. Ebraeor.* lib. II. cc. 2—5; *Yājñav.* I. 52—54; *Comm.* on *Lev.* I 563, 576, 577).

PHILOLOGICAL REMARKS. — The priests are usually designated כהנים; in a few very late compositions only the sequence of the words is reversed, viz. כהנים בני אהרן, and our passage (ver. 1) has the latter formula, which is meant to glorify the order of the priests as being wholly descended from Aaron (comp. besides, 2 *Chron.* XXVI. 18; XXXV. 14; *Neh.* X. 39): this circumstance, immaterial as it may appear, is an accessory proof of the very late date of this section—a conclusion to which a Jewish divine, though starting from peculiar premises, has also arrived (*Geiger*, *Jüd. Zeitschr.* III. 112, where he observes: "this portion of Leviticus belongs likewise to a time which had the exaltation of the priests as Aaronites much at heart, and both its matter and its form support this supposition"). — Bertheau (*Gruppen*, pp. 216—228), comprising the contents of XXI. 1 to XXVI. 2 under the heading of "miscellaneous laws," divides them in accordance with his usual principles, but with more than usual success, into four groups or seven "decalogues". — The Talmud (*Kiddush.* 78) endeavoured to remove the contradiction between the words of Ezekiel (in XLIV. 22) וְהָיָה אִתָּם אֵשֶׁת וְהָיָה אִתָּם בָּנִים and our section (vers. 7, 14) by translating those words as follows, "And any widow

you, *am* holy. — 9. And the daughter of any priest, if she defile herself by being unchaste, she profanes her father: she shall be burnt with fire.

10. And *he that is* the High-priest among his brethren,

who is really a widow, anyone of the common priests may take her" (comp. Uzziel in loc. *וְאִשְׁתּוֹ אִשָּׁה אֲלֵמָה*); and the Masorites evidently desired to express the same sense by providing *אֲלֵמָה* with a distinctive accent: but it is unnecessary to observe that neither the phrase itself nor the context bears such a version. A recent commentator remarks: "A somewhat stricter rule for the priests' marriages was revealed to the prophets in later times" (*Cook's Holy Bible* in loc.): was the ordinance of the Pentateuch repealed or superseded by the prophet's revelation? — The word *אֲלֵמָה* is here (ver. 1) used in the sense of *dead person* or *corpse*, as in XIX. 28, p. 430, comp. XXII. 4; Onk. renders here *אֲלֵמָה* (comp. infra ver. 11 *אֲלֵמָה*); and the parallel passage Ezek. XLIV. 25 has *אֲלֵמָה* — In *אֲלֵמָה* the verb and the suffix are in the singular, though they must be construed with the plural *אֲלֵמָה*, an irregularity very frequent in these portions (comp. XX. 17, 19; and notes *ibid.* p. 451): in our passage those words may be understood in a distributive sense — "none of them shall defile himself"; the Vulgate repeats *sacerdos (ne contaminetur sac.)*, while the Sept., deviating from the original Hebrew, has the plural, *οὐ μὴνθήσονται ἐν τῷ ἔθναι αὐτῶν*; and so also in ver. 3 *ἐν τούτοις* for *ἐν*, which refers only to the nearest noun *אֲלֵמָה*, and in ver. 7 *ἀγιοὶ ἔσονται* for *אֲלֵמָה* (the Vulg. *consecrati sunt*): which are a few proofs showing the tendency of the Greek Pentateuch to more symmetrical constructions. —

The phrase *אֲלֵמָה* (ver. 2) is almost synonymous with *אֲלֵמָה* (XVIII. 6, see p. 389), meaning his near kinsman or blood relation; Sept. aptly *τῷ οὐκ ἐστὶν τῷ ἔγγιστον αὐτῶν*, and Onk. *אֲלֵמָה*; but Vulg. erroneously in consanguineis *ac* propinquis; and Jewish tradition takes *אֲלֵמָה* as "his wife", or as a synonym of *אֲלֵמָה* (comp. Gen. II. 24); and so Targ. Jonath. *אֲלֵמָה*, that is, his lawful wife; but this explanation is artificial and opposed to the context (comp. ver. 4). Hence we are inclined to interpret the words *אֲלֵמָה* (ver. 3) as *full sister*, in contradistinction to half- or step-sister; although we admit that they may be construed with the succeeding words, and mean a sister who, not having been married, has remained associated with her own family, and "near" her brother, whereas by marriage she would enter into the family of her husband and become with him "one flesh". The Septuagint renders *אֲלֵמָה* literally *τῷ ἔγγιστον αὐτῶν*, Luther questionably *die noch bei ihm ist*, the Vulgate omits the words. — In accordance with Jewish tradition, Jonathan adds after "who has had no husband", the qualification, "and who is not betrothed." — The words *אֲלֵמָה* (ver. 4) can, in our context, only refer to the priest as husband (*אֲלֵמָה*, comp. 2 Sam. XI. 26; Joel I. 8; etc.), as distinct from son, father, and brother: in the former position he must not, in the latter relations he may "defile himself" by attending to funeral ceremonies; and thus some ancient and modern interpreters have

upon whose head the anointing oil was poured, and who is consecrated by putting on the garments, shall not let *the hair of his head grow wild*, nor rend his clothes;
11. And he shall not go near any dead body; not for

understood the phrase (e. g. Targ. Jonath. though unjustly restricting the prohibition to unlawful wives, Ebn Ezra, Rashbam, Engl. Vers. Marg., De Wette, Knobel); but others take *ly* in the sense of "chief", and either translate generally "a chief in his people" (אֲדָמָה לְעָמְּוֹ *ly*) shall not defile himself" (Onkel., Arab., a. o.), or they restrict the command to the priest or High-priest, "he shall not defile himself, being a chief among his people" (Engl. Vers., Rosenm., Michael., Baumgarten, Zunz, Luzzatto, a. o.); or they still more questionably render as if the Hebrew text were *ly*, "he shall not defile himself even for a ruler of his people" (Vulg., Syriac, Dathe; Luther an irgend einem das ihm zugehört unter seinem Volke); the Sept. represents *ly* by ἐξάκινα suddenly, that is, perhaps, quickly, or for a slight cause, as if reading *ly* as in Num. VI. 9, or as has been conjectured *ly* which is suddenly in Syriac; and Ewald curiously suggests that *ly* means *besides* or *otherwise*, almost like the Arab. بعد. Keil (Comm. p. 128) takes indeed *ly* as husband or head of the family, but supposes that the defilement here meant is of the kind caused by the offences specified in vers. 7 and 9; but this construction is impossible, as the two intervening verses (the 5th and 6th) have no relation either to husband or chief of the household. — At the beginning of the 5th verse, the Sept. adds ἐπὶ τῷ νεκρῷ; this is the sense required by the context (comp. XIX. 28); and so the verse has been understood by Jewish tradition (comp. *Siphra* in loc.; *Talm.* Kiddush.

36; Menach. 20). — On *ly* (ver. 5) see *supra* on XIX. 28 (p. 430), where the masculine form *ly* is used. — The term *ly* "bread or food of the Lord", at first taken in a literal, and subsequently in a figurative sense (Comm. on Lev. I. pp. 6—8), is by the Septuagint rendered "presents" (δῶρα), in order to avoid the anthropomorphism, and by Onkel., Jon., Luther, a. o. for a similar reason simply "offering" (אֲדָמָה). The Vulgate translates incensum Domini *et panes* Dei sui, which implies a double inaccuracy, for 'אֲדָמָה is the apposition to 'אֲדָמָה (comp. ver. 21), whence *et* is superfluous, and *ly* is not restricted to the shew bread (*panes*, sc. propositionis, so also Luther in ver. 21), but applies to any sacrifice or oblation. The words "and they shall not profane the name of their God" (ver. 6, 'אֲדָמָה וְשֵׁם אֱלֹהֵי יִשְׂרָאֵל), refer evidently to defilement in connection with death; but they were generalised by Jewish tradition, and understood to mean that a priest should, under penalty of destruction by the hand of God, perform no sacred function in the Temple on the day when he had taken a bath of purification (i. e. when he is *ly*; comp. *Talm.* Sanh. 83; Zevach. 17^a; Maimon. Hilch. Biath Mikd. c. 4). — *ly* (ver. 7) is literally "a profaned," dishonoured, or fallen woman, who is no habitual prostitute (*ly*; Sept. βεβηλωμένη; Vulg. vile prostibulum, in ver. 14 sordida; Luth. a. o. eine Geschwächte); but Jewish tradition supposes that the word means the offspring of some unlawful priestly alliance, as for instance, the daughter of a High-priest and a widow, or the

his father or for his mother shall he defile himself. 12. And he shall not go out of the Sanctuary, nor profane the Sanctuary of his God; for the crown of the anointing oil of his God is upon him: I am the Lord.

daughter of a common priest and a divorced woman (comp. *Talm. Kidd.* 77), and thus also Jonathan renders (אֲדָמָה בְּתוּלָהּ כִּי מְקַדְּשֶׁהוּ). — "Thou shalt sanctify him" (שִׁמְךָ, ver. 8) is equivalent to "he shall be holy to thee" (כִּי יִהְיֶה יָדְךָ) — the people shall consider and treat the priests as sacred persons, because God, the holy One, has invested the Hebrews themselves with holiness, and therefore wishes those who stand between Him and the people to be regarded as no ordinary men. Jewish tradition deduces from those words the duty of the Israelites to honour the priests and Levites by allowing them precedence in all religious privileges, whether in the Synagogues or in social gatherings (see *Talm. Gitt.* 59; *Maim. Hilch. Kele Hammikd.* c. 4; *Orach Chay.* §§ 135, 201; see Comm. on Lev. I. p. 654 note 3). — Jewish doctors, anxious to mitigate the rigour of the law with respect to the unchaste daughter of a priest (ver. 9), explain, evidently against the legislator's intention, that it applies only to betrothed and married women; thus Targ. Jonathan qualifies the priest's daughter as אֲדָמָה בְּתוּלָהּ, Ebn Ezra as בְּתוּלָהּ אֲדָמָה, and Rashi observes, that "all agree that the text does not refer to unmarried women" (comp. *Talm. Sanh.* 50, 51, 66^b). — כִּי יִהְיֶה אֲדָמָה is simply a priest, like אֲדָמָה (Exod. II. 14) a chief, אֲדָמָה (Judg. VI. 8) a prophet, though אֲדָמָה may have been premised to emphasize the dignity (comp. ver. 7 אֲדָמָה אֲדָמָה). — אֲדָמָה is the fut. Niph. of אָדָם, instead of אֲדָם (see Gramm. § LXII. 4.c), and means, therefore, "she will be defiled," as in ver. 4 the in-

finit. אֲדָם is "to defile himself"; and so render the Sept. (ἐὰν βεβηλωσθῇ), Ebn Ezra, Eng. Vers., a. o.; some translate, "if she begins to be unchaste" (Onk., De Wette, a. o.), which, however, would require אֲדָם, as אֲדָם in the sense of beginning occurs only in the Hiphil (comp. Gen. IX. 20; Deut. II. 25; etc.); and the Vulg. has quite freely si deprehensa fuerat in stupro. — On אֲדָם (ver. 10) to consecrate, to install, see Comm. on Lev. I. 557; and we may add that the Samaritan Version renders אֲדָם אֲדָם place, place of honour, or dignity, "and who has fully attained his high position," and so Abu Said (أبو سعيد; comp. *Kohn, Samar. Stud.* p. 74). — As is not unfrequently the case, the infinitive אֲדָם אֲדָם defines and supplements the preceding notion אֲדָם אֲדָם, and the sense is "he was consecrated for his office by putting on his holy garments" (comp. V. 4; VIII. 15, and notes in locc.; see Gramm. § 98.5). Many of the ancient versions render the words literally and therefore indistinctly, as Onk. and Jon. "he who has presented his offering to put on (אֲדָם אֲדָם) his garments"; Sept. τεταλειωμένου τὰς χεῖρας αὐτοῦ ἐνδύσασθαι τὰ ἱμάτια; a. o.; the Vulg. more clearly, though inaccurately, cujus manus in sacerdotio consecratae sunt, vestitusque est sanctis vestibus; but Luther correctly und seine Hand gefüllt ist dass er angezogen würde mit den Kleidern; and aptly De Wette der eingesetzt ist mit Anziehung der Kleider. — אֲדָם אֲדָם, with the article, are the garments *par excellence*, the High-priest's own holy or official garments (comp.

13. And he shall take a wife in her virginity. 14. A widow, and a divorced and a dishonoured woman, and a courtesan, these shall he not take; but he^s shall take a virgin of his own people to wife. 15. And he shall

Gramm. § 83. 4). Targ. Jon. adds, at the conclusion of the 10th verse, "in the time of distress" (בְּצָרָה אִי־מִצְרָה), justly extending the command to any trouble, and not limiting it, as has frequently been done, to times of bereavement. — The reasons which induce us to take כָּרַע in the phrase כָּרַע לֹא יִרְאֶה in the sense of letting the hair be dishevelled, and not in that of uncovering (Sept. ἀποκαλύπτει, Vulg. discooperiet, Engl. Vers., Luther, Michael., Bähr, a. o.), or of shaving the head (Gesen., Maurer, a. o.), have been stated in Comm. on Lev. I. pp. 699, 700, where the distinction later adopted between כָּרַע and כָּרַח as two different modes of tearing garments has also been adverted to. In other connections כָּרַע may indeed be understood as uncovering the head (XIII. 45, *supra* p. 234; Num. V. 18, comp. Comm. on Lev. I. 285). — The words לֹא יִרְאֶה (ver. 11) are emphatically placed first — "not even for his father or for his mother shall he defile himself" (see Gramm. § 75. 4). — Considering the connection of our laws with the narrative of the death of Nadab and Abihu (X. 1 *sqq.*), we can hardly doubt that the words לֹא יִרְאֶה (ver. 12) mean, "and he shall not go out of the Sanctuary", his permanent abode (comp. 1 Sam. I. 9; III. 2), to attend to funeral rites (*Ebn Ezra* אֵבֶן עֲזָרָה); for in that passage (X. 7) we find instead of כָּרַע הַקֹּדֶשׁ the term כָּרַח מִן הַדֶּלֶת "from the door of the Tent of Meeting"; the translation "he shall not leave the holy things or his condition of holiness", is too vague and general, and moreover necessi-

tates a different translation of the second כָּרַח in the same verse (Sept. καὶ ἐκ τῶν ἁγίων οὐκ ἐξελεύσεται, καὶ οὐ βεβηλώσει τὸ ἡγιασμένον or τὸ ὄνομα τὸ ἡγιασμένον τοῦ θεοῦ αὐτοῦ; Vulg. nec egrediatur de sanctis, ne polluat Sanctuarium Domini): the doctors of the Mishnah also disagreed on the subject, some taking כָּרַח here as Sanctuary, others as state of holiness or purity (*Mishn. Sanh. II. 1*). In X. 7 we have instead of כָּרַח כָּרַח simply כָּרַח כָּרַח, and both phrases are not essentially different; the term כָּרַח in our passage seems chiefly to refer to the copiousness of the High-priest's anointment, which encircled his head like a *wreath* (comp. ver. 10; see *Talm. Kerith. 56*), whence he was simply called "the anointed priest" (הַכֹּהֵן הַמְשֻׁחַ, IV. 3, 5, 16; VI. 15; comp. VIII. 12; XVI. 32; Num. XXXV. 25; Comm. on Lev. I. 574); but כָּרַח may also imply that his *crown* marked him as spiritual chief, and that his *distinction* and anointment *separated* him from the rest of the people (comp. Num. VI. 7; *Carpzov*, Appar. Hist. Crit. p. 60). The Sept. has simply τὸ ἅγιον ἔλαιον, Vulg. oleum sanctae unctionis; Onk., Jon., a. o. render literally כָּרַח כָּרַח; and others take כָּרַח separately in the stat. absol. (Luther, die heilige Krone, das Salböl seines Gottes; a. o.). — After the words "and he shall take a wife in her virginity" (ver. 13), the Greek translators add ἐκ τοῦ γένους αὐτοῦ, that is כָּרַח, as in ver. 14; they seem to have been of opinion that the High-priest should only marry a priest's daughter, and therefore taken כָּרַח as "his relatives", which

not profane his seed among his people: for I the Lord do sanctify him.

16. And the Lord spoke to Moses, saying, 17. Speak to Aaron, saying, Whosoever *he be* of thy seed, in *all*

meaning is indeed by some attributed to that word wherever it occurs; certain it is, that Philo, who read the Pentateuch only in the Septuagint translation, understood our passage in that sense (see *supra*); whereas Ezekiel merely prescribes that a priest's wife should be "from the seed of the house of Israel" (מִן־הַבְּתוּלֹת הַיְהוּדִים, Ezek. XLIV. 22). The Vulgate also, in paraphrasing the words וְהָיָה לְהָאִשָּׁה הַזֹּאת (ver. 15) by ne commisceat stirpem generis sui vulgo gentis suae, evidently desired to convey that a High-priest should marry within his own tribe.

16—24. Everything associated with the service of the perfect God, was to be perfect, and above all His ministers, who had been sanctified by election and anointment and were clothed in holy garments, who constantly approached His altars to present faultless offerings, and "came near" the vail which shrouded His mysterious presence. A priest, therefore, was not only to be "perfect" in his life, but also in his person, which was to be the fit abode of a pure soul, and to reflect Divine similitude and holiness. Not that he required great physical strength; for his duties were not onerous, as the menial services were entrusted to the Levites, who, on their part, were assisted by the *Nethinim*. But he was disqualified not only by such striking defects as blindness or lameness, a fractured hand or foot, but by any blemish that mars the symmetry of the body, and is displeasing to the eye, by disproportionate or stunted growth, and by any irregularity which points to

some hidden fault in the organism, as for instance a flattened nose or humped back, a dwarfish size or a scabby skin. Health and harmony, vigour and freshness were to distinguish the men who, as mediators with God, were to secure for the people all those boons, together with other and far more precious blessings; and the same motives prompted the law that priests should only officiate during the years of their strength and unimpaired manhood (see Comm. on Lev. I. pp. 571, 572). However, as, through Aaron, all his descendants had for ever been singled out and hallowed, no priest could entirely forfeit or renounce the privileges of his birth. Therefore, even those Aaronites who on account of some physical blemish, were unfit for sacerdotal functions, received for their sustenance portions from the holy and most holy gifts, of course from those stores only which were set apart for distribution among all the members of the order, whereas other revenues were reserved for the officiating priests (see Comm. on Lev. I. 546; comp. *Jos. Bell. Jud.* V. v. 7; and on the difference between "most holy" and "holy things," קֹדֶשׁ הַקֹּדֶשׁ and קֹדֶשׁ, Comm. I. c. pp. 76, 77, 619, 620).

Keeping these principles in mind, it would obviously be unjust to suppose that faultless and comely priests were demanded in the Hebrew Temple, exactly as faultless and comely attendants were required in the palaces of Eastern kings (comp. *Dan.* I. 4); for at the time when the laws of this section were framed, the earlier and ruder stages of religious cul-

their generations, that has a blemish, let him not approach to present the food for his God. 18. For any man that has a blemish, shall not approach — a blind

ture had long been passed, and the idea of organising the service of the Sanctuary on the model of a royal court, had been essentially abandoned, or was at least subordinated to more ideal aims. Nor are the true depth and meaning of those commands reflected in the Talmudical view, which is thus expressed by Maimonides (Mor. Nev. III. 45): "The Hebrews were forbidden to admit to the holy service any one with a personal defect; . . . for the multitude does not appreciate a man for that which is his true form [for his mind or intelligence], but for the perfection of his limbs, and the beauty of his garments; those laws were, therefore, given to make the Temple honoured and respected by all" (and similarly Abarbanel, *Spencer*, Legg. Ritt. I. vii. 3. a. o.). The legislator did not so much study the relation in which the priest stood to the people, but that in which he stood to God; and Maimonides himself adduces, immediately afterwards, the traditional opinion that the Levites, who were engaged at the Sanctuary even more constantly than the priests, were not required to be faultless in form, and were incapacitated for their functions only if they lost their voice for chaunting the sacred hymns (comp. *Talm. Chull.* 24², הלויים לא יקריאו).

We have before adverted to the analogy of our laws with the priestly ordinances of the Greeks and Romans and other nations (Comm. on Lev. I. p. 571); and we shall in this place only add a few supplementary remarks. The Hebrews insisted that their priests should be healthy and free from bodily defects, but they

never made *beauty* a necessary qualification, as the Greeks did in some instances (*Pausan.* VII. xxiv. 2; IX. xxii. 2); not merely because their sense of the beautiful was not so highly developed, but because they were better able to separate the physical from the spiritual sphere, and because, according to their notions, the chief element of perfection is the fitness, and not the beauty of things. The Hebrew writer declared, "God saw that everything that He made was *very good*"; whereas the Greeks called the world *beauty* (κόσμος). Nor did the Hebrews, as more untutored nations did, unduly prize a tall and imposing stature, since they did not believe that only "majestic men are capable of great deeds" (*Curt.* VI. v. 29): though Saul towered high above all others, his more illustrious successor was much too small to wear his armour; and in praising the beauty of Absalom, the Hebrew historian, besides alluding to his luxuriant hair, merely adds, "From the sole of his foot to the crown of his head, there was no blemish in him" (2 Sam. XIV. 25).

As might be expected, the Rabbinical teachers were anxious to carry out the commands of our section with the utmost scrupulousness. In the second Temple, a special chamber was set apart in the Court, in which the great Sanhedrin examined all the Aaronites. Those who were declared to be physically unfit for the sacred office, "put on black garments, wrapped themselves in a black cloak, and went away in silence," to be subsequently employed for such services as selecting wood for the altar; but those found to be perfectly

man or a lame one, or one that has a flat nose, or anything superfluous, 19. Or a man that is broken-footed, or broken-handed, 20. Or crook-backed, or a dwarf,

qualified, put on white garments and a white cloak, and at once joined their brethren to assist in the sacred functions; and then they gave to their friends a feast, which they opened with this benediction: "Blessed be the Lord, because no blemish has been found in the seed of Aaron the priest; and blessed be He, because He has chosen Aaron and his sons to stand and to serve before the Lord in His most holy Sanctuary" (*Mishn. Midd. II. 5; V. 4*). These regulations and usages seem to be in harmony with the spirit of the Bible; but the Jewish doctors fixed no less than 142 disqualifying defects, partly constitutional and partly transitory (כְּהֵנִי מִיָּדָא אוֹרְחָא), which they derived, by their well-known rules of deduction, from the twelve irregularities named in our verses, and some of which are — a pointed or a flat head, a complexion too red, or too white, or too black, squinting eyes of different colours, eyes as large as those of a calf, or as small as those of a goose, diminutive or spongy ears, an upper lip hanging over the under lip, or conversely, broken teeth, knees bent inward or bent outward, crooked legs, large warts on the fingers or toes, broad and flat feet. Persons suffering from mental debility (מְדַמְדִּים) were of course not tolerated as priests: *moral* blemishes are not specified, as they are in the laws of the Parsees; but we know that priests convicted of idolatry, homicide, or any other great offence, were not permitted to officiate. According to later conceptions, the faultlessness of the body was meant to be "a symbol of the perfection of the soul"; such views were, in the course of

time, minutely worked out; blindness, for instance, was understood to point to want of intelligence, fracture of the hand to indolence, flatness of the nose to deficiency of judgment; and elaborate typical expositions naturally followed in due course (comp. *Philo, De Monarch. II. 5*, ἀ μὲν δοκεῖ πάντα σύμβολα τῆς περὶ ψυχῆς εἶναι τελειότητος; *Theodor. Quaest. 30* in *Levit.*; comp. *Mishn. Bechor. VI. 1—12; VII. 1—6; Talm. Kiddush. 66^a; Bechor. 43; Maim. Biath Mikd. c. VI; Selden, De Success. in Pontif. II. 5, 6*).

"And Moses told it to Aaron, and to his sons, and to all the children of Israel" (ver. 24): although all these laws concerned the Aaronites only, they were communicated to the whole people, that they might watch over the faithful observance of commands so important for their spiritual and temporal welfare. The Pentateuch makes no pretension to priestly secrets and mysteries, but clearly explains all its ordinances; though fully developing an hierarchical organisation, it does not sever the intellectual bonds between people and priests, and is, in this point, greatly superior to other hierarchical systems, especially those of the Hindoos and Egyptians. But on the other hand, it does not bear comparison with the liberal institutions of some other ancient nations, as the Greeks, who admitted all citizens to sacred offices, and made no caste-like distinction between priests and people.

PHILOLOGICAL REMARKS. — As regards כֹּהֵן (ver. 18), most of the ancient translators, if they do not retain the word (as Onk. and Syr. כֹּהֵן), associate with it some defect or ano-

or that has a blemish in his eye, or is scurvy or scabbed, or has his stones broken; 21. No one of the seed of Aaron the priest that has a blemish shall come nigh

maly of the nose; thus Sept. *κολοβή-
ρις* (stump-nosed; Gr. Ven. the syno-
nym *σιμής*), though another reading
is *χολοβοχέρ* (and similarly Parchon
he who has but one hand); the Vulg.
has for *parvo vel grandi
vel torto naso*; Jonath. *כחוש
חוש* (one whose nose is injured); and the
Talmud (Bechor. 43^b) has this ex-
planation: "The nose is bent in at
the upper part (*נחשן חוש*), so that he
paints his two eyes at once" (*חוש
חוש*), that is, one whose nose is
so flat that he has no difficulty in
passing the paint-brush from one
eye to the other; and in this sense
the word is also taken by Rashi,
Kimchi, a. o.; and similarly by Lu-
ther (mitseltamer Nase), Engl. Vers.
(one that has a flat nose), Clericus,
Michaelis, Rosenmüller (qui nasum
habet depressum ut simiae), Gesenius
(drawn in or depressed at the nose,
comparing the Arabic *خمر* to bore
through the cartilage between the no-
strils of a camel for putting in a ring),
De Wette (Stumpfnasiger), a. o.; some
propose a more general sense (as Kno-
bel, "one who has suffered some mu-
tilation, especially in the face"); but
there is no valid reason for deviating
from the traditional acceptance. —
Nearly the same agreement prevails
with respect to *חוש*; for it is generally
referred to *חוש* in the sense of *stretch-
ing out* or *extending* (comp. Isai.
XXVIII. 20 *חוש חוש* "the bed
is too short for a man to stretch him-
self on it"; comp. *شراع* the long neck
of the camel, and *חוש* Exod. XXVI.
12), and it is therefore rendered "a
person with limbs abnormally ex-
tended"; some have attempted to fix
these limbs, while others, avoiding
hazardous surmises, have left them

undefined; thus the Syr. has *ܐܬܪܐ*
large-eared; *Talm.* Bechor. 40^a "a
person who has one member larger
than the other, as one eye or one
shoulder"; similarly Bochart, Mi-
chaelis, Gesen. one who has a mem-
ber, especially the ear, too long; De
Wette Langgliedriger; some, how-
ever, give to the term a different mo-
dification, without apparent reason,
as Engl. Vers. one that has anything
superfluous (Onk. in XXII. 23 *חוש*,
Gr. Ven. *ὑπερταταμένον*, Ar. Erp. and
Abus. *ايد*, Kimchi *חוש*), for instance,
more than ten fingers or ten toes
(2 Sam. XXI. 20, Knob.), or anything
abnormal (Luther mit ungewöhn-
lichem Glied); others, on the con-
trary, assume that it implies some
deficiency, as Sept. *δωδμήτος* with
ears slit or cropped (and so *Ewald*,
Alterth. p. 287, comparing the Arab.
سليح), Parchon a person who has but
one foot, Targ. Jon. one whose thighs
are dislocated (*חוש חוש*); others,
as Menachem ben Saruk, suppose
that *חוש* is the opposite of *חוש*, and
consider it synonymous with *חוש* "a
stout and heavy man, too clumsy and
awkward to perform the sacred ser-
vices" (comparing *חוש חוש* Ps.
LXVIII. 17). Taking *חוש* in its most
comprehensive sense, we are led to
explain *חוש* one who has too large
or too many limbs, or whose body is
abnormally "enlarged". — One of
the qualifications of the Athenian
priest was that he was required to
be *δτελής*, which is explained to
mean "one who has neither any-
thing too much (*πλεονεξων*) nor
too little in his body" (compare
Etym. magn. s. v.). — The terms *חוש*
חוש and *חוש* (ver. 19) are intelli-
gible in themselves (Sept. *σύντριμμα*

to present the offerings of the Lord made by fire; he has a blemish, he shall not come nigh to present the food of his God. 22. He may eat the food of his God,

χρῆός and ποδός, Vulg. fracto pede and fracta manu, etc.); they do not apply to *weakness* in the hand or foot (so Luther, der an einem Fuss oder Hand *gebrechlich* ist), nor to a fracture that has been cured without leaving a trace, but to one that permanently disables the limb and causes disfigurement; such instances may not have been rare, since "among the ancient Hebrews a fracture of the hand or foot was probably but seldom entirely cured." — The term קָרַח (ver. 20) has, with some unanimity, been rendered *hump-backed* or *crook-backed* (Sept. κυρτός, Vulg. gibbus, Onk. קָרַח, Kimchi, Parchon hump-backed like a camel, and so Luther, Engl. Vers., Rosenm., Gesen., etc.). But some doctors of the Mishnah (Bechor. VII. 2) explain קָרַח to be a person who has only one eyebrow or none, and Siphra on our passage adds "one who has many eyebrows"; others suppose that it means a person whose eyebrows are pressed down (קָרַח דְּבִיבָה), or so long that they reach over the eyes, and others again one who has two backs and two spines; and these interpretations occur in other Jewish works also; thus Targ. Jerus. has, besides hump-backed, two other translations — "his eyebrows cover his eyes" (קָרַח דְּבִיבָה), and "he has no hair on his eyebrows" (so also the Peshito; comp. Siphra in loc.; Talm. Bechor. 43^b; Targ. Jonath., Rashi, a. o.). However, the connection of קָרַח with קָרַח is decidedly in favour of some defect of the *back* rather than of the *eyes*. — With respect to קָרַח, the Masorites and many interpreters suppose, and no doubt justly, that it is to be taken absolutely, and not joined with קָרַח,

and the word has commonly been rendered *dwarf* (קָרַח properly thin, small, hence in Aethiopic *boy*), as by Onkelos (קָרַח), Jonathan (קָרַח), the Talmud (Bechor. 43^b), the Peshito (קָרַח), Ebn Ezra (קָרַח קָרַח), a. o. (comp. *De Dieu*, Crit. Sacr. p. 38); or it has been taken as *emaciated* (since קָרַח is also lean, meagre), so the Engl. Vers. Marg. (too slender), Dathe (nimis gracilis), Gesenius (one having a withered limb), De Wette (Dürrer), Knobel (an krankhafter Abmagerung einzelner Gliedmassen oder des ganzen Leibes leidend, comparing, not altogether appropriately, Lev. XXVI. 16; Deut. XXVIII. 22; 1 Ki. XIII. 4; Zech. XI. 17), Keil, a. o.; while the Septuagint has ἑρπηλος *sun-burnt* or *freckled*. Some, however, construe קָרַח with קָרַח, and understand some disease of the eyes; so the Talmud (Bechor. 38, "he who has a cataract or a black amaurosis קָרַח קָרַח in his eye"), and similarly Rashi and Nachmanides (קָרַח means קָרַח, that is, lat. tela, french toile, veil; comp. קָרַח Isai. XL. 22 thin cloth), Vulgate (lippus blear-eyed) and Saadiah (كحل dim-sighted, purblind), Kimchi (one who has a skin over his eyes) and Parchon (a vitiated condition of the eyelids by which the eyes are very much narrowed and contracted), a. o. — The words קָרַח קָרַח are rendered by the Septuagint πολλός τοὺς ὀφθαλμούς, that is, one suffering from an affection of the eyelids, when these become swollen and inflamed, while the eyelashes fall off; those words would, therefore, mean some disorder which gives to the eye a "confused" (קָרַח) appearance; and, in the absence of a sure tradition or a safe etymology, we are disposed to acquiesce in that trans-

both of the most holy and of the holy; 23. Only he shall not go in to the vail, nor come nigh to the altar, because he has a blemish; that he profane not My Sanc-

lation. But many other versions have been ventured; for instance, quite generally "one that has a blemish in his eye" (לִפְתָּ, so Ebn Ezra, Eng. Vers., Michael. morbus vel noxa oculi), or more specially "one who has a white film on the eye" (Vulg., Dathe, albuginem habens in oculo), or a white spot or streak (Gr. Ven. λεύκωμα, Saad. كَت, Ar. Erp., Gesen., De Wette, Knob.), or a skin (Luther), or a sty (רִיחָ, Onk.; Bochart χδλαζα), or a constant dripping (Menachem ben Sar. שִׁיבֵר הַמַּאֲזַח הַזֶּה לְרִיחָ, Par-chon), or in whose eye the white is mixed up with the black (Jonath.; comp. also Talm. Bechor. 38^a; Rashi, Kimchi, *Michael*. Supplem. pp. 181—184). The Syriac translator, in his perplexity, gives three versions, "a person whose eyebrows have fallen off, or who is dim-sighted, or has a white film over his eye". Diseases of the eye were, as they are still, very frequent in Palestine, and modern travellers have noticed the prevalence of leucoma, nebula, pannus, and other disorders (comp. *Pruner*, *Krankheiten des Orients*, pp. 432 sqq.; *Hartmann*, *Skizze der Nilländer*, p. 410; *Tobler*, *Nazareth in Palästina*, pp. 273 sqq.). —The two next words נֶפֶשׁ and רִיחָ seem to denote kindred infirmities, and they have by ancient and modern interpreters been rendered with great agreement. The Talmud (Bechor. 41^a) observes that נֶפֶשׁ and רִיחָ are two kinds of scurvy (רִיחָ), the former being dry within and without (רִיחָ), the latter dry within but moist without (רִיחָ), and "clinging" to men till they die (רִיחָ identical with נֶפֶשׁ; comp. רִיחָ Judg. XVI 29); and similarly Onkelos (רִיחָ and רִיחָ), Jonathan (רִיחָ and רִיחָ) and

Septuagint (ἐν ψ ἄν ψώρα δγρ(α and λαιγήν malignant scurvy and scab), the Vulgate (jugem scabiem habens and impetiginem in corpore habens), Luther (grindicht and schäbicht), Engl. Vers. (scurvy and scabbed), De Wette (der die Krätze und der die Flechte hat), etc. Both maladies are, in a subsequent portion of this section, also mentioned among the defects which rendered animals unfit for the altar (XXII. 22); and it is interesting to find that the sacrificial tablet of Marseilles, in specifying several disqualifying disorders, mentions at least one which seems to be kindred with those named in our passage; for it proscribes נֶפֶשׁ וְכָל נֶפֶשׁ וְכָל נֶפֶשׁ (line 16), where נֶפֶשׁ seems to be analogous to נֶפֶשׁ; (comp. *Movers*, *Opferwesen der Karthager*, p. 115). —Lastly, the legislator excludes from the priesthood a man that is נֶפֶשׁ וְכָל נֶפֶשׁ, which words have by most of the ancients been rendered "one with crushed testicles" (Onk. נֶפֶשׁ וְכָל נֶפֶשׁ; *Mishn.* Bechor. VII. 5, Siphra, Kimchi, a. o. נֶפֶשׁ וְכָל נֶפֶשׁ, Rashb. נֶפֶשׁ וְכָל נֶפֶשׁ, Sam., Ar. Erp., etc.), and this translation has, no doubt with good reason, been adopted by nearly all modern interpreters. But Targ. Jonath. has נֶפֶשׁ וְכָל נֶפֶשׁ "one whose testicles are swollen or contracted," and Menach. ben Saruk נֶפֶשׁ וְכָל נֶפֶשׁ; the Mishnah (l. c.) gives these additional explanations—one that has no testicles or only one (so also the Septuagint, Syriac, and Targ. Jerus., μονόρχος, נֶפֶשׁ וְכָל נֶפֶשׁ; however, the notion of *one* is not implied in the Hebrew words); or a person that has wind (נֶפֶשׁ) in his testicles; or one whose testicles have "a black

tuaries: for I the Lord do sanctify them. — 24. And Moses told *it* to Aaron, and to his sons, and to all the children of Israel.

appearance" (כֶּהֱנֵן אִשָּׁתוֹ); Judah ben Koreish (followed by Knobel, who proposes to read כֶּהֱנֵן אִשָּׁתוֹ) suggests enlargement of the scrotum (but כֶּהֱנֵן, Syr. כֶּהֱנֵן, is testicle or stone, not scrotum); and some render vaguely—"a ruptured person" (Vulg. herniosus, Saad., Abus., Luther der gebrochen ist). An earlier writer, anxious for the holiness of the Hebrew community, had already ordained that anyone "whose stones are crushed, or whose privy member is cut off, shall not enter into the congregation of the Lord" (Deut. XXIII. 2): the injunction of a similar law with regard to the Hebrew priests is, therefore, the less surprising if it be remembered that the idolatrous worship of some ancient tribes was conducted by castrated ministers (as the Galli, the Megabyzi, a. o.; see Comm. on Lev. L571; comp. *Crenzer*, Symbol. II. 370, 574).—A priest with a bodily blemish shall not come near the vail (כֶּהֱנֵן אִשָּׁתוֹ, ver. 23): this general sense seems to be implied in the words, which embrace the translation both of the Sept. and of the Vulg. כֶּהֱנֵן אִשָּׁתוֹ.

כֶּהֱנֵן אִשָּׁתוֹ and *infra* velum, and which have so been understood by Jewish tradition (comp. *Talm. Zevach.* 98^a; *Bechor.* 43^b); such a priest was, much less, to lift the vail, and thus to enter into the Holy or the Holy of Holies. Ebn Ezra explains, "he shall not come near the vail for the purpose of sprinkling seven times the blood upon the altar," which interpretation is too contracted and specific.—After כֶּהֱנֵן (ver. 24) some such complement must be understood as the Vulg. adds, *cuncta quae fuerant sibi imperata* (Rashi כֶּהֱנֵן אִשָּׁתוֹ, Luth. und Moses redete solches, *Dat he haec omnia*).—It seems clear that this portion belongs to the latest compositions of the levitical code; the distinctness in characterising the priests as being "near God," the clear division of the offerings in "holy" and "most holy" ones, and the great minuteness in enumerating disqualifying defects—all this points to a time advanced indeed in theological refinement, but very far removed from that largeness of thought and that freedom of spirit which guided the old prophets.

CHAPTER XXII.

1. And the Lord spoke to Moses, saying, 2. Speak to Aaron and to his sons, that they keep aloof from

1—3. The sacrifices and gifts presented at the Sanctuary were meant either to secure the favour of God, or to provide sustenance for His ministers; and thus hallowed both by the purpose they served, and by the place in which they were of-

fered, they were to be consumed by the priest, nay approached and touched by him, only in a state of purity; for as perfection of bodily form was the external counterpart of holiness, so was physical purity its ritual type; and the one great end of all priestly

the holy things of the children of Israel, and that they profane not My holy name *in those things* which they consecrate to Me: I *am* the Lord. 3. Say to them, In *all* your generations whosoever of all your seed approaches the holy things, which the children of Israel consecrate to the Lord, having his uncleanness upon him, that soul shall be cut off from My presence: I *am* the

functions and of the entire service was holiness. From this point of view, we may understand the extreme rigour of threatening with excision by the hand of God any Aaronite who might come near the sacred gifts, whether "holy" or "most holy", in a condition of uncleanness: he was considered to have "profaned the holy name" (כבוד) of God, that is, His chief and most essential attributes, and was, therefore, no longer to be suffered to come near Him, and serve in His presence (הכבוד...הקדוש). He was to keep aloof from sacred things especially at times when he was affected with any disorder or any uncleanness recalling the notions of decay, dissolution, or death, such as leprosy or "a running issue", defilement, however indirect, through a corpse or a dead "creeping thing" (טמא): in these and all similar cases, he was with respect to the duration and the removal of his pollution, to conform to the rules prescribed in the levitical code; and then only, having waited the lawful time and performed the necessary purifications, he was restored to all the privileges of his order (see *supra* pp. 198, 201). Even on all ordinary occasions, the priests were commanded, on penalty of death, to wash their hands and feet before entering upon their duties at the altar or in the Holy; not merely in order to remove any *uncleanness* unwittingly contracted, but to guard against any *uncleanliness*; for which purpose the large brazen laver was

placed in the Court between the altar and the Holy (comp. Comm. on Lev. I. 572, 573). That similar rites and precautions were prescribed by other ancient legislations, has been observed before (see *supra* pp. 197, 198; comp. *Manu* II. 176; V. 138, 145; *Yājñav.* III. 48; *Athen.* IX. 75; *Herod.* II. 37; *Plut.* Quaest. Rom. 73; etc. etc.); we will only add one striking analogy. The Zend-Avesta, even more rigorous than the most advanced levitical writers, because regarding every physical defect or deformity as a taint stamped upon the body by Ahriman, excludes from sacrificial meals, on the one hand, calumniators and liars, persons known to be passionate or quarrelsome, malicious or spiteful, haughty or averse to prayer; and on the other hand, the blind and the deaf, men whose teeth exceed the common size, or who are affected with any symptom threatening to undermine life or health: a sacrifice of which any such person had partaken, would it was taught be rejected, and be considered as not having been presented at all (see *Khor-da-Avesta* XXI. 92, 93; *Vendid.* II. 80 sqq.; comp. *Spiegel*, Avesta, III. 55, 56).

PHILOLOGICAL REMARKS. — The term טָמֵא (ver. 2) that "they keep aloof" or "separate themselves" (*Siphra* טָמֵא אֵלֶּיךָ אֲנִי, as many translators render (Onk. and Jon. טָמֵא, Sept. καὶ πορεύσονται ἀπὸ τοῦ ἁγίου, Vulg. ut caveant ab etc., a. o.; see on XV. 31, p. 265), is employed in an emphatic or pregnant sense — the

Lord. — 4. What man soever from the seed of Aaron is a leper, or has a running issue, he shall not eat of the holy things, until he be clean. And any one who touches any thing *that is* unclean *through* a corpse, or a man from whom discharge of semen goes out; 5. Or a man who touches any creeping thing, that is unclean to him, or a man that is unclean to him, whatsoever unclean-

priests shall be careful how and when they approach holy things; and we must supply some complement such as "when they are in a state of uncleanness".—The words *אשר יקדשם* must be construed with *בני מקדש* "from the holy things of the children of Israel . . . which they consecrate to Me", so that the intervening words *לֹא יִלְלֵנִי* are a rather irregular parenthesis; the translation of the Engl. Vers. "that they profane not My holy name in those things which they consecrate to Me", seems to establish a grammatical sequence, but does not really do so, since *אשר* can in no way be considered to belong to *לִלְלָהּ*; the Masorites even placed under *קדש* an accent so strongly distinctive as *athnach*. Onkel., Jonath., and the Sept. translate quite literally, and therefore reproduce the anomaly of the original; but the Vulg. renders *sanctificatorum mihi*, questionably, *nomen sanctificationum mihi*, and then continues *quae ipsi offerunt*. Most of the modern interpreters merely give the sense, without adhering to the words (e. g. Luther, *dass sie sich enthalten von dem Heiligen der Kinder Israel, welches sie mir heiligen*; etc.).—Jewish commentators explain that "approaching" the holy things (ver. 3) means *calling* them (Bashi, Rashbam, a. o.); but there is no reason why that term (*קרא*) should not be taken in its literal sense. — *בְּדֹרֹתֵיכֶם* "in your generations", that is, now and in all future time (comp. XXI. 17, *בְּדֹרֹתֵיכֶם*). — The

words, "that soul shall be cut off from My presence" (*נִכְרַת . . . מִלִּפְנֵי*), have a more emphatic meaning than, "that soul shall be excluded from the Sanctuary", which, under the circumstances described, is a matter of course, but they imply the threat of "excision", or of death by Divine retribution. — *וְהַיֹּחֵז בְּלֵב טָמֵא* (ver. 4) is "anyone who touches anything that is unclean through a corpse" (Dathē qui rem cadavere contaminatam attigerit); but the Sept. has indistinctly *καὶ ὁ ἀπτόμενος πᾶσης διαθαρσίας ψυχῆς*; the Vulgate more accurately, *qui tetigit immundum super mortuo*; Luther incorrectly, *wer etwa einen unreinen Leib anrührt*; see on XXI. 1, p. 461. — *וְיִצֵּי* *discharge of semen* as in XV. 16, p. 258; the Sept. has here also *κοίτη σπέρματος*, the Vulg. *semen quasi coitus*, in which translations the true meaning of *וְיִצֵּי* is misunderstood. — The *ל* in *לֹא יִלְלֵנִי* (ver. 5) has the force of comprehensive generalisation — "whatsoever his uncleanness may be" (comp. on XI. 26, p. 167); the Sept. renders with sufficient accuracy, *κατὰ πᾶσαν διαθαρσίαν αὐτοῦ*, and the Vulg. *quemlibet immundum*; but Luther *und alles was ihn verunreinigt*. — Targ. Jonathan expresses (in ver. 6) the view of Jewish tradition, "until he has bathed his flesh in forty seahs of water". — On the leper (*זֶרַע*) see XIII. 1 *sqq.*, pp. 215 *sqq.*; on persons afflicted with a running issue (*זֶרַע*) XV. 2 *sqq.*, pp. 254 *sqq.*; on defilement through a corpse

ness he has; 6. The person that has touched any such shall be unclean until the evening, and shall not eat of the holy things, unless he wash his flesh with water. 7. And when the sun is down, he may afterwards eat of the holy things; because it is his food. — 8. That which dies of itself, or is torn *by beasts*, he shall not eat to defile himself therewith: I *am* the Lord. 9. And they shall keep My ordinance, lest they bear sin for it,

(עֲרֵבָה מִזְרָע) XXI. 1 *sqq.*, pp. 455, 456; on uncleanness by emission of semen, whether involuntary or in intercourse, XV. 16—18, pp. 257 *sqq.*, and by contact with a creeping thing XI. 29 *sqq.*, pp. 167 *sqq.*

8, 9. As the priests were forbidden to eat holy things in an unclean state, so they were, above all other Hebrews, warned not to eat unclean things at any time, and especially not the flesh of animals that have died of themselves (הַבְּהֵמָה) and of those that have been torn by wild beasts (הַבְּהֵמָה). It might appear superfluous, and it is indeed surprising, that the legislator expressly prohibits to the priests food which, from early periods was rigorously forbidden to all Israelites as a hateful abomination, and was in the course of time interdicted to the very strangers who happened to live among them (XVII. 15, 16; see *supra* pp. 351, 352). But the history of the levitical code suggests an explanation. Though the laws of הַבְּהֵמָה and הַבְּהֵמָה had been repeatedly enforced, they were, like many other religious ordinances, so little acted upon, that even Ezekiel, in delineating his hierarchy, saw fit to command that "the priests shall not eat of any thing that has died of itself or is torn, whether it be fowl or beast" (Ezek. XLIV. 31); and this passage of Ezekiel seems to have caused the repetition of the laws in our section; for as we have more than once pointed out, the work of the

prophet was one of the sources of the levitical author (pp. 386, 457). Nor does the latter seem to have been very confident as to the observance of the command, and he found it necessary to enforce it with great earnestness and with a severe menace—"lest they bear sin for it (My ordinance), and die therefore, if they profane it". Of course, death "by the hand of heaven" is meant, as Jewish tradition explains (*Talm. Sanh.* 83).

PHILOLOGICAL REMARKS. — עֲרֵבָה (ver. 9) on that account, as in XIX. 17 (p. 415); Sept. δι' αὐτό; Vulg. omits the word; Rosenmüller, unnecessarily taking עֲרֵבָה collectively for עֲרֵבָה, renders, ne ferant *super se* peccatum. The suffix ought properly to agree with the feminine עֲרֵבָה, but this noun is understood in a general sense "all that I have ordained" (comp. VIII. 35; XVIII. 30; etc.; Dathe servent praecepta mea), and is therefore used as a masculine (neuter); in any case the suffix in עֲרֵבָה refers to the same noun as that in עֲרֵבָה, whereas the Vulg. has et moriantur in *Sanctuario* cum polluerent *illud*; Ebn Ezra also believes that עֲרֵבָה stands here for עֲרֵבָה, which substitution is uncalled for; and similarly some others suppose that the suffixes apply to עֲרֵבָה, which word does not at all occur in the preceding part of the chapter, except in ver. 2, where it means holiness, and not Sanctuary or holy offering. Others translate still more inaccurately, as Jonathan,

and die therefore, if they profane it: I the Lord do sanctify them.

10. And no stranger shall eat *of* the holy things; a sojourner of the priest, or a hired servant, shall not eat *of* the holy things. 11. But if a priest buy a slave with his money, he may eat of it, and he that is born in his house: they may eat of his food. 12. And if a priest's daughter is *married* to a stranger, she may not eat

"lest they be killed for it by a blazing fire", like Nadab and Abihu; or Luther, *dass sie nicht Sünde auf sich laden und daran sterben wenn sie sich entheiligen* (אֲנִי הָאֵלֹהִים). —

10—13. The "holy things" might be shared by the priests with those who composed their domestic circle, not only with their wives and children, but with slaves born in the house or acquired by money, for these were, as a rule, received into the Hebrew community by circumcision, and were admitted to the paschal lamb and in fact to every privilege of the Israelite. But all others were regarded as "strangers" or "profane" persons (זָרִים) in reference to the offerings, and by eating them they "defiled" their sanctity, and brought upon themselves "the iniquity of trespass". Such "profane person" was not only the heathen who stayed with the priest as a sojourner or served him as a hireling, but even his married daughter, who by her marriage left her own family, and entered that of her husband; yet if she became a widow or was divorced, and had no children, she returned to her father's house and might again partake of his food; if her deceased husband was a non-Aaronite, and she had children, these were not permitted to share the sacred offerings, and then the same prohibition extended to herself, since she could not separate her life from that of

her children. So systematically and so rigorously were the levitical principles carried out. Yet we have historical evidence to prove that these principles were unknown in the earlier times of the Hebrew monarchy. When David, escaping from the persecution of Saul, came to Nob, weary and exhausted, and asked the presiding priest Ahimelech for some food, the latter replied, "There is no common bread (לֶחֶם עֹמֵץ) under my hand, but their is hallowed bread" (לֶחֶם קֹדֶשׁ), in fact, "shew-bread, (לֶחֶם פָּנֵה) that has been taken from before the Lord, to put in its place hot bread on the day when it was taken away"; and Ahimelech had no objection to give this holy bread to David, a man of the tribe of Judah, and to his promiscuous crowd of followers, on the sole condition that they had of late kept aloof from sexual intercourse, which was from early times considered as causing defilement for the day (1 Sam. XXI. 1—7; comp. *supra* p. 259; Comm. on Exod. p. 336; on Lev. I. p. 167; also *Talm. Bicur.* 82. *Yevam.* 68^b, 70^b, 76, 85^a, 86^a; *Sanh.* 83; *Macc.* 13^a; *Maim. Hilch. Terum.* VII—X.).

PHILOLOGICAL REMARKS. — זָרִי (ver. 10) is here a non-Aaronite, a stranger with regard to the priestly families; for the meaning of the word is qualified by the object with which it is associated (see Comm. on Lev. I. 698, notes on X. I); the Sept. has δῖλοςτε-

of the heave-offering of the holy things. 13. But if a priest's daughter becomes a widow or is divorced, and has no child, and returns to her father's house as in her youth, she may eat of her father's food: but no stranger shall eat thereof.

14. And if a man eat *of* a holy thing unwittingly, then he shall add to it the *fifth part* thereof and shall

וְהָיָה, Vulg. *aliegens*; Onk. and Jon. וְהָיָה a *profane* person, that is, one who is not a priest; Siphra "a Levite or an Israelite"—וְהָיָה is a *resident stranger* or an emigrant from a foreign land, and וְהָיָה a *hireling*; but the Rabbins make this distinction that וְהָיָה is a slave whose ear has been pierced, and has thus become his master's property till the jubilee (לְיָבֵל, comp. Exod. XXI. 6 and notes in loc.); while וְהָיָה is one that has been hired for a limited time, and goes out free after six years. The Hebrew servant of a priest was, therefore, not permitted to eat holy food, since he could not properly be bought by money like a heathen slave, and he was in that respect treated like a וְהָיָה (Siphra; *Talm.* Yevam. 68, 70; comp. *Maimon.* Hilch. Terum. VII—X). — The word וְהָיָה (ver. 13) should properly be וְהָיָה "as in her youth" (Sept. κατά τὴν νεότητά αὐτῆς); but after הָיָה, prepositions are not seldom omitted (see Gramm. § 109. s.c.).

14—16. Our legislator ordains that "if a man eat of a holy thing unwittingly, he shall add to it the fifth part thereof, and shall give back the holy thing to the priest". But another author prescribes, besides, that the offender shall present a trespass-offering (V. 14—17; see Comment. on Levit. I. 519). This difference is the more striking, as our section is not designed to protect the property or the revenues of the priests, but centres in the idea of holiness; it would, therefore, have been

most fit to supplement restitution by expiation. On many ritual points, various theories and opinions were entertained; and the practice was neither uniform nor unchangeable. It has been vaguely contended, that "the author has only small things in his mind; for greater things he prescribes, besides, a trespass-offering" (*Knob.* p. 524): no such distinction between small and great is expressed in the two texts, both of which treat generally of "eating of holy things unwittingly". Or it has been observed, that "the offence committed against God is here not taken into account" (*Baumgarten* p. 220): but would it have been overlooked, if one invariable mode of atonement had been fixed?

The significance of one *fifth*, or the double of one *tenth*, has been pointed out before (Comm. on Lev. I. c.); and we may, moreover, refer to the Hindoo law which ordains that any one who, claiming found property as his own without being able to prove his claim by certain tests, was bound to pay the *fifth* part of its value into the royal treasury (*Yājñav.* II. 171). Jewish Rabbins declared, with questionable justice, that a person eating unconsciously of holy things, has in fact to restore the *fourth* part of them, which, together with the original quantity, makes up the *five* parts (comp. *Mishn.* Terum. VI. 1 and *Bar-tanur.* in loc. וְהוּא יְרֵדֵת מִן שֵׁשֶׁל). They taught, moreover, that a person advisedly eating of holy things, had indeed to return the equivalent

give back the holy thing to the priest. 15. And they [the priests] shall not profane the holy things of the children of Israel, which they offer to the Lord, 16. Or suffer them [the Israelites] to bear the iniquity of trespass, by eating their holy things: for I the Lord do sanctify them.

17. And the Lord spoke to Moses, saying, 18. Speak

of what he had consumed, but without the addition of the fifth part, since his guilt, which rendered him liable to death by the hand of heaven, was not expiated by the restitution of the property; if he had been cautioned, he was punished with stripes, and restitution was not accepted. These and many similar points were, on the basis of our verses, minutely worked out by the Rabbins (see *Mishn. Temur.* cc. VI., VII.).

PHILOLOGICAL REMARKS. — The words *וְהָיָה לַכֹּהֵן לְחֵלֶק* (ver. 14) are simply "and he shall give back the holy thing to the priest", which meaning fully accords with the tenour of the verse (so the Sept. *καὶ δώσει τῷ ἱερεὶ τὸ ἄγιον*, a. o.; similarly Luther "und dem Priester geben *samm* dem Heiligen"); but the Vulg. has *et dabit sacerdoti in Sanctuarium*, which translation is neither supported by the words nor the context. — Nor can the sense of the phrase *וְהָיָה לַכֹּהֵן לְחֵלֶק* (ver. 16) be doubtful, if we keep in mind that *לֵחֵק* signifies "to bear guilt," whence *לֵחֵק אִשָּׁא* is "to make some one bear guilt," or to cause him to be guilty: the priests must neither themselves profane the holy gifts, nor must they permit the Israelites to eat them and thus to sin; *וְהָיָה לַכֹּהֵן לְחֵלֶק* is, therefore, not *themselves* (Sept. *καὶ ἐπιδικάζουσιν ἑαυτοῖς ἀνομίαν* *πλημμελείας*; Vulg. *ne forte sustineant iniquitatem delicti sui*; Rashi *וְהָיָה לַכֹּהֵן לְחֵלֶק אִשָּׁא*; Rosenm. *ne sibi poenam noxae contrahant*; *Cook's Holy Bible* "they shall incur a sin of

trespass who eat of their holy things"; a. o.), but *them*, i. e. the Israelites (so Engl. Vers. correctly or suffer them to bear the iniquity of trespass; Dathe *neque illos ad peccandum seducant*; Michael. *auch nicht veranlassen dass Andere . . . eine Schuld auf sich laden*; De Wette und so ihnen Schuld aufladen; etc.). Others suppose the subject of *וְהָיָה לַכֹּהֵן לְחֵלֶק* to be the Israelites, and then the sense would be, "and the people shall make the priests bear their (the people's) guilt by eating their holy things" (comp. X. 17): but irrespective of the strained construction, it was in sin-offerings only that the eating of the flesh on the part of the priests belonged to the rites of atonement (see Comment. on Levit. I. p. 210). Some other versions have even less probability (e. g. Keil "the holy gifts of the Israelites must not be profaned . . . , and those non-priests who eat of them by chance must be made to bear the penalty of their guilt", *וְהָיָה לַכֹּהֵן לְחֵלֶק*). Onkel. renders "when they eat in impurity" (*בְּחֵטְא עָשָׂה*), which is no doubt an inappropriate qualification, as no "stranger" was, at any time and under any condition, to eat of the hallowed offerings. — The two synonyms *וְהָיָה לַכֹּהֵן לְחֵלֶק*, of which the first is in the construct state, impart to the notion a strong emphasis — "heinous guilt"; comp. *וְהָיָה לַכֹּהֵן לְחֵלֶק* XVIII. 6, p. 389.

17—25. All the preceding laws relating to the purity of the priesthood were based not only upon the

to Aaron, and to his sons, and to all the children of Israel, and say to them, Whosoever *he be* of the house of Israel, or of the strangers in Israel, that will offer his

holiness of the Temple, but also upon the holiness of the offerings; the priests were not to defile themselves by contact with the dead nor to show immoderate grief in mourning, because "they brought forward the offerings of the Lord made by fire" (XXI. 6); they were to be free from bodily blemishes, because "they approached to present the food of their God" (XXI. 17, 21); and they were not, when in a state of impurity, to touch or to eat their portions, because these were "holy things which the children of Israel hallowed to the Lord" (XXII. 3). Regulations with regard to the faultlessness of the offerings are, therefore, now appropriately appended, and logically complete the subject; they refer indeed only to the sacrificial animals; but they readily suggest an application to any kind of gift or offering set apart for sacred purposes; and Jewish tradition expressly declares, that the wine for the libations, and the oil and flour used for bloodless offerings, were required to be of superior quality; nay that even the wood that burnt on the altar was to be carefully selected so as to include no worm-eaten pieces, which task was assigned to Aaronites unfitted for the service of the altar by some physical defect (see *supra* p. 466; comp. *Mishn. Menach. VIII. 1*, יכלין אין באש, אלא כן היתבאר; *Maimon. Issur. Mizbeach*, cc. 1, 6).

The injunctions of this section seem by no means to have been superfluous in our author's time. The Deuteronomist indeed declared it to be an abomination to sacrifice "any bullock or sheep wherein is

blemish or any defect," and he instanced blind and lame beasts as unacceptable to God (Deut. XV. 21; XVII. 1). But his directions, like those of his younger contemporary Ezekiel (XLIII. 22—25; XLV. 16, 23; etc.), appear to have been little heeded; for the prophet Malachi, about a century after the return of the Jews from Babylon, bitterly complained, that they offered "polluted food" (מזבח טמא) upon the altar, as if "the table of the Lord were contemptible"; and he endeavoured to enforce his warnings by an illustration remarkable for its homely or anthropopathic character: "If you offer the blind for sacrifice, is it not evil? and if you offer the lame and sick, is it not evil? Pray offer it to thy governor, will he be pleased with thee, or accept thy person, says the Lord of Hosts" (Mal. I. 6 *sqq.*). The levitical legislators, therefore, never failed to command that all offerings and gifts should be faultless; they gave this command with respect to the oldest and most common kinds of sacrifices, the burnt- and thank-offerings; but they insisted upon it most frequently in connection with the expiatory sacrifices, at once the holiest and latest class, and to a certain extent their own most praiseworthy creation. Yet nowhere did they so elaborately dwell on the subject as in our passage, which no doubt conveys one of the final features of their system. Here they betray, in every point, both their age and their peculiar bias. They forbade indeed, like their predecessors, blind victims; but they were neither content with the general phrase "no

offering, *whether it be* any of their vows, or any of their free-will offerings, which they will offer to the Lord for a burnt offering; 19. *You shall offer it* for your acceptance,

blemish or defect" used by the Deuteronomist, nor with the vague term "sick" employed by the prophet Malachi; they attempted a full, if not an exhaustive, enumeration of the disqualifying blemishes and defects, and they attempted to specify and to define the forms of sickness; and though they did not advance to the minuteness of later Rabbins, who named no less than 73 such disorders (*Mishn. Bechor. VI. 1 sqq.*), they were imbued with an anxious spirit of accuracy, which helps us to understand how in the course of centuries, and on the basis of their ordinances, the expansions of the Mishnah and the Talmud were possible. Again, between offerings presented as vows and as freewill gifts they established a distinction of which we find no trace in previous writings; and for free-will offerings they permitted animals, not indeed afflicted with any organic defect or disease, but unsightly from some abnormal largeness or smallness of limbs (אֲדָמָה; קָטָן). We may well question the view that such offerings, because not required by any command, and partially consumed by the worshippers themselves, might be of an inferior kind, since spontaneous gifts presented to the Deity should pre-eminently embody the idea of sacrifice. Some Rabbinical authorities were indeed desirous to remove that laxity, and declared, against the context, that the animals here alluded to as freewill gifts were not intended for the altar as offerings, but for labour to be performed in connection with the Temple (לְבָיִת; comp. *Talm. Temur. 7^b*); yet others, advancing farther in the

direction of our precepts, fixed the still more doubtful principle, that the laws of faultlessness were limited to quadrupeds, and did not apply to birds. And lastly, our authors included in their ordinance the "stranger" (גֵּר) so unreservedly that he appears like a member of the holy community both with regard to his privileges and his obligations; for they permitted him to present, at the common Sanctuary and through Hebrew priests, any offering or sacrifice, and subjected his gifts to the same rigorous scrutiny as those of Hebrews; nay they partially included "the foreigner" (גֵּר) who "came from a distant land" to pay homage to the God of Israel (vers. 18, 25; comp. Num. XV. 14; 1 Ki. VIII. 41—43): but this equality of native and stranger was not established until a very late period, when, the land and the community being held as equivalents, the general command could be given, "In your land you shall not offer" anything that is blemished (see XVII. 8—10; XIX. 33, 34, pp. 435—437).

The qualifications prescribed by the Bible for offerings and victims have elsewhere been discussed in their various aspects, and we refer the reader to those observations, in the course of which the analogies and differences between the Hebrew and heathen customs have also been pointed out (see Comm. on Lev. I. pp. 92—108; on burnt offerings *ibid.* pp. 234 *sqq.*; and on thank-offerings *ibid.* pp. 241 *sqq.*).

The Rabbins admirably applied our laws to the moral sphere; starting from the maxim that "all the fat belongs to the Lord" (Lev. III. 16),

a male without blemish, of the bullocks, of the sheep, or of the goats. 20. Whatsoever has a blemish, *that* shall you not offer; for it shall not be for your acceptance.

and taking fat in the sense of the "choicest part", they taught that in all matters of charity men ought to exercise the same self-abnegation which has been prescribed for the sacrifices of the altar; their places of worship should be more splendid than their dwelling-houses; they should dedicate for religious purposes their most valued property; and they should feed the hungry, and clothe the poor from their best stores (comp. *Mishn. Menach. VIII. 1 sqq.*; *Maimon. Issure Mizbeach*, cc. 1, 6).

PHILOLOGICAL REMARKS. — The construction of vers. 18, 19 is elliptical, and a word like *וְהָיָה* must be supplied after *וְהָיָה*; most of the ancient versions render both verses quite literally; the Vulg., however, inaccurately omits *וְהָיָה*, translating ut offeratur per vos masculus; while Luther, straining the sense, draws that word into the first clause, ein Brandopfer, das ihm von euch angenehm sei. — An allages of such irregularity as those of this passage — *וְהָיָה*, *וְהָיָה*, *וְהָיָה*, and *וְהָיָה*, numbers and persons being applied quite promiscuously — are rare even in Hebrew (comp. Gramm. § LXXVII. 21.). About *וְהָיָה* for your acceptance, see on XIX. 5, p. 408. — *וְהָיָה* (ver. 21) is literally "to single out" or "to consecrate a vow" (Ebn Ezra explains *וְהָיָה* by *וְהָיָה*, and Rashī by *וְהָיָה*; Sept. has simply *ἐκαστελας* *ἐκαστελας*, Vulg. vota solvens); comp. Num. XV. 2, 3, 8, and in the same sense *וְהָיָה* XXVII. 2, see notes in loc. — The Sept. adds after *וְהָיָה* *ἐκαστελας* *ἐκαστελας* (i. e. *וְהָיָה*). — The defects enumerated are for the most part stated as adjectives in the masculine (as *עֲבִיר*, *וְהָיָה*,

etc.), and once in the feminine (*וְהָיָה*), probably referring to *וְהָיָה*, but in two instances nouns are used (*וְהָיָה* blindness and *וְהָיָה* scab), so that *וְהָיָה* or *וְהָיָה* must be supplied (comp. XXI. 19). — The blemishes here enumerated correspond, to a certain point, with the disqualifications of priests (XXI. 18—20); some are identical, as blindness (*וְהָיָה* and *וְהָיָה*), scurvy and scab (*וְהָיָה* and *וְהָיָה*), and enlarged or superfluous members (*וְהָיָה*); others are analogous, as broken hand or foot and broken limb (*וְהָיָה* or *וְהָיָה* and *וְהָיָה*), and the imperfect condition of the testicles. Yet in the last respect, the difference is greater than the similarity; the former passage merely declares a priest unfit "whose stones are broken" (*וְהָיָה*), but ours, to express the same, or nearly the same thing, accumulates the synonyms in a manner surprising in so formal an enactment, and no doubt meant to be emphatic and significant (ver. 24, *וְהָיָה* *וְהָיָה*); for the most important and most solemn occasions male animals were expressly prescribed (comp. ver. 19); they were therefore above all to be perfect as males; and the least approach to castration was "a corruption", not only because involving the notion of maiming incompatible with the altar, but because virtually evading a Divine command (comp. Deut. XXIII. 2). — Maimonides (*Mor. Nev. III. 49*), partially connecting irrelevant ideas with our law, which applies to animals and not to men, remarks that it was intended to inculcate moderation in sexual love; that, while circumcision was meant to weaken the member, our precept forbade its mu-

21. And whosoever offers a thank-offering to the Lord to consecrate *his* vow, or for a freewill offering, *whether* of the herd or of the flock, it shall be perfect,

tilation or destruction, and that, therefore, our desires should be controlled and guarded from excess, but not entirely suppressed. — There is, on the whole, but little uncertainty as to the meaning of the Hebrew terms here employed. For *עִוְר* is, of course, blindness (according to Jewish tradition, of both eyes or of one only), and *עִוְר* broken or broken-limbed (comp. Exod. XXII. 9; Ezek. XXXIV. 4, 16; Zechar. XI. 16; Sept. συντετριμμένον, Vulg. fractum, Jon. מִשְׁתַּדָּר; but Abarbanel too specially “with broken leg”, and Bochart (l. II. c. 46, p. 522 fractum, ad ossa refertur, femoris puta aut cruris; De Wette more generally Beschädigtes, and Luther not quite accurately gebrechlich). More disputed is the meaning of *עִוְר*; it seems to be derived from *עָרַר* in the sense of *cutting* or *digging* (hence to *decree*, i. e. to engrave a law or edict, Isai. X. 22, 23; XXVIII. 22), and to signify *wounded* or *cut*, whether the animal be injured by a bruise or by the loss of some limb; Onk. has *עָרַר* cut off, and similarly Syr. *مبتورق*, Saad. *مبتورق* maimed, Dathemutilatum, Luther geschlagen; Engl. Vers. maimed; Vulgate cica-tricem habens, and De Wette Verwundetes; but with too specific a sense Sept. *γλωσσότρυμον*, others with broken leg (comp. Ebn Ezra in loc.), Bochart capite contusum (*حرقا*). Jewish tradition connects *עִוְר* with some disorder of the eyebrows, so Jonath. *עִוְר* “one whose eyebrows have fallen off”, *Mishn.* Bechor. VII. 3, *עִוְר*, and *Talm.* Bechor. 38^a, “the eyebrows or the lips are split or injured”: but it is hardly prob-

able that such slight irregularities should have been noticed as disqualifying an animal. — *עִוְר* from *עָרַר* *to run, to flow*, seems to denote a beast afflicted with *ulcerous boils* (so Engl. Vers. having a wen, Gesen., De Wette Blattriges, etc.); it has by others been understood to mean one that has *warts* (so Sept. *μυρμηγκιστῶντα*, Vulg. papulas habens, Saad. *دات تولول* suffering from warts; Rashi *verru*, Kimchi *Span. verruga* or *verruca* a. o.; comp. *Mishn.* Erub. X. 13, 14); but it has by some Jewish authorities been taken as a disease of the eyes (Jon. *עִוְר*); Ebn Ezra compares it with *עִוְר* XXI. 20, and adds that we must here apply the rule, “We rely on tradition, and do not trust to our own imperfect knowledge”. — On *עִוְר* and *עִוְר* *scurvy* and *scabbed*, and on *עִוְר* *having anything superfluous* see on XXI. 16—24, pp. 468, 470. — *עִוְר* (from *עָרַר* to contract) is *stunted, dwarfish* (comp. Arab. *قُلطي* a dwarf; see Bochart l. c. p. 523); it is, therefore, the opposite of the preceding word *עִוְר*, (Ebn Ezra), and like it, must be taken in a general sense, whether referring to the size of the whole animal or of some particular limb; so Onkel. simply *עִוְר*, Gr. Ven. *βραχυμένον*, Ar. Erp. *ناقص* diminutive, De Wette zwerghaft, Engl. Vers. that has anything lacking in its parts, Rosenm. cum una pars justo brevior est; but others define the deficiency, as Sept. *κολοβόκερον* stump-tailed, and so Vulg. cauda amputata, Syr., Arab., Ewald, a. o.; or *Talm.* Bechor. 7^a, 40^a, *Siphra* in loc., *עִוְר* its hoofs are contracted, that is, not divided, or resembling

for acceptance; there shall be no blemish therein. 22. *An animal that is blind, or broken, or maimed, or ulcerous, or scurvy, or scabbed, you shall not offer these to the Lord, nor make an offering by fire of them upon the altar to the Lord.* 23. Either a bullock or a *beast of the flock* that has anything superfluous or lacking in its parts, that mayest thou offer *for* a freewill offering; but for a vow it shall not be accepted. 24. You shall not offer to the Lord any *animal whose stones are bruised,*

those of the horse or the ass; or *החסר* one that has one testicle too little. — With respect to the four last epithets *החסר* *הקטן* *הגדול* *המפוסק*, Jewish tradition supposes that they are connected with the generative organ (*Siphra* in loc., and *Talm. Bechor. 39^b*), and there is no reason to doubt the correctness of this view; nor is the meaning of the words obscure; they all involve the notion of *crushing* or *destroying*, and refer to deliberate or accidental castration. Thus Onkelos renders them *המפוסק* crushed (comp. *המפוסק* in XXI. 20 for *המפוסק*), *המפוסק* smashed, *המפוסק* one with the testicles (or the member) torn from their place, and *המפוסק* cut off; Jonathan *המפוסק* *המפוסק* *המפוסק* one whose testicles are bruised or crushed, and *המפוסק* *המפוסק* *המפוסק* one whose member is mutilated or broken; similarly Sept. *θλαδαν* crushed, *ἐκτεθλαμμένον* squeezed out, *ἐκτομῆν* cut out, and *ἀντεσπόμενον* torn away; and these terms express indeed the four modes of castration known to the ancients, and fully described by several writers (comp. *Aristot. Anim. Hist. IX. 37*; *Columella, De Re Rust. VI. 26*; *VII. 11*; *Pallad. De Re Rust. VI. 7*); and more distinctly *Vulg. testiculis contritis, tuis, sectis, and ablati*; *Dathe, cui testiculi aut compressi, aut contusi, aut abrupti, aut excisi sunt*; and analogously nearly all the ancient and modern transla-

tors, though many of them do not clearly express in what respect or in which part the animals are bruised or injured. There is a certain gradation in the four terms; for *המפוסק* is merely *pressed*, while *המפוסק* is *crushed* (*Bashi, בחרו יתרי מסד, המפוסק* is *torn out*, and *המפוסק* *cut out* (the Rabbins explain *המפוסק* thus — *למשך הבציר ביד* — *סדום בלל* — *על שנסדק העטף* and *סדום* — *המפוסק* *המפוסק* *המפוסק*; *Siphra* in loc., *Talm. Bechor. 39^a*). — We may infer from our passage that the Hebrews kept castrated and uncastrated beasts, like the eastern nations at the present day. "In Abyssinia the he-goats are castrated, in Hauran the stallions, bulls, and rams, and in Arabia it is customary to tie up the scrotum of sheep and goats; but as a general rule bulls are not emasculated in the East, and there are no geldings in Arabia" (*Knob. Lev. p. 256*). — *הקדש* in the sense of *sacrificing* (vers. 23, 24) is not unusual (comp. XVI. 9; XVII. 9; XXIII. 12, 19; Exod. XXIX. 38; etc.), and the words *בארצכם לא תהיה* mean "and in your land, which ought to be hallowed by a perfect worship, you shall not sacrifice such mutilated animals" (so Syriac, Saadiah, Engl. Vers., Knob., a. o.). However, many interpreters, both Jewish and Christian, suppose, against the plain context and against history, that these words prohibit castration — "and in your land you shall not do

or crushed, or torn out, or cut out, and you shall not make *any offering thereof* in your land. 25. Nor from a stranger's hand shall you offer the bread of your God of any of these; because their corruption *is* in them, a blemish *is* in them: they shall not be for your acceptance.

26. And the Lord spoke to Moses, saying, 27. When a bullock, or a sheep, or a goat, is brought forth, then it shall be seven days under the dam; and from the

so"; thus Josephus (Ant. IV. viii. 40, μη ἐξεῖναι δὲ ποιεῖν ἐκτομῆς, μήτε ἀνθρώπους μήτε τῶν ἄλλων ζῶων); and so the Rabbins, who teach, that it is unlawful for the Jews, wherever they may live, either to castrate themselves or any animal, whether clean or unclean; whether they perform the operation themselves or have it performed by non-Jews (comp. *Talm. Shabb. 111^a; Chagig. 14^b; Bab. Mets. 90^b; Maimon. Issure Biah c. 16; Even Ha'ezer §. 5; see also Michael. Mos. Recht, III. § 168; Geiger, Zeitschr. V. 118—120; VI. 37—40). In the time of and after Josephus, the Jews may have considered the gelding of beasts objectionable, and then supported their aversion by interpreting our passage in that sense; but an agricultural people could not afford to lose the services of horses and oxen as beasts of draft and of burden; and they would to a great extent have lost them without castration. The law of our text was not prompted by "a spirit of kindness and morality", but mainly by the principle that the offerings presented to God should be *perfect*. Its object is not to ensure "the propagation of animals called into existence by God", nor to shield them from the infliction of pain; since the Pentateuch freely permits the slaughtering of beasts. Castration may indeed be*

comprised under the prohibition of "a limb cut out of a living animal" (אבר נץ חיה), which is one of "the seven laws of the children of Noah"; but these laws were only grouped together in post-Biblical times (see *supra* pp. 9, 10). A command so important for the material interests of the nation would certainly not have been enjoined in a few ambiguous words, and in the midst of sacrificial precepts.

26, 27. The reason why no victim should be presented that was not at least seven days old, has no doubt been correctly stated by Maimonides who observes, that "every animal, at the time of its birth, is very weak and extremely delicate, just as if it were still in the mother's womb; and it is only after seven days that it is counted among the creatures which come into contact with the air: before that time it is almost considered as an abortion; and hence children also must not be circumcised before the eighth day from their birth" (Mor. Nev. III. 49; comp. Exod. XXII. 29). It is unnecessary to search for any other reason: that which is offered to the Deity ought to have a well-secured existence and have overcome the first stages of debility and helplessness. Jewish teachers looked upon new-born animals as if affected with a blemish (בגלל נזק); comp. *Talm.*

the Lord, offer *it* for your acceptance. 30. On the same day it shall be eaten; you shall leave none of it until the morrow: I *am* the Lord.

31. And you shall keep My commandments, and do them: I *am* the Lord. 32. And you shall not profane My holy name; but I will be hallowed among the children

ther with the children" was a metaphor expressive of utter destruction, such as man ought not to inflict upon any of God's creatures (comp. Gen. XXXII. 12; Hos. X. 14). For an analogous reason, the Law forbade any one finding a bird's nest to "take the dam with the young" (וְהַיִּצְחָן וְהַבְּרִיָּהּ יוֹצֵא); the latter only may be taken, while the former must be left free (Deut. XXII. 6, 7).

PHILOLOGICAL REMARKS. — The Rabbinical explanations and expansions of this ordinance may be seen in *Talm. Chull.* 85^b; *Maim. Hilch. Shechit.* c. 12; *Yor. Deah* § 16. — The noun יִצְחָן is a masculine epicene, while בְּרִיָּהּ is of common gender (Gram. § 22. 2); hence the masculine suffixes in יִצְחָן and בְּרִיָּהּ are to be accounted for, since, of course, the dam and her young are meant in this law: "bruta enim nullum patrem agnoscunt" (comp. *Siphra*; and *Talm. Chull.* 78^b, "the command applies to the female, which should not be slaughtered on the same day with her male or female young"). — וְהַיִּצְחָן וְהַבְּרִיָּהּ יוֹצֵא signifies here "you shall not sacrifice", not only because this entire passage treats of offerings, but because, according to the rigorous law of our Book, all the animals, even those intended for consumption by the proprietors, were to be killed as sacrifices at the national altar (XVII. 3—6). The Vulg. renders plainly non immolabuntur; while Jewish teachers expressly applied the prohibition to slaughtering in general (*Talm. Chull.* 78^b).

29, 30. The last of the miscellaneous laws of sacrifice with which this chapter concludes, relates to the "praise-offerings" (תְּרוּמַת הַזֶּבַח), a later and more solemn kind of the "Joy-offering" (זֶבַח שְׂמֵחָה); it is here introduced as abruptly as the law regarding the "thank-offering" is found inserted in the midst of precepts of morality and charity (XIX. 5—8), whereas another sacrificial code treats of both classes in connection and with completeness (VII. 11—18; see Comm. on Lev. I. pp. 547—549).

31—33. A series of ordinances on priesthood and sacrifices is fitly wound up with an exhortation enjoining upon the people ever to "sanctify God's holy name" by a faithful observance of His commands, and to remember that He has released them from Egypt, the land of gross idolatry, with the special object of making them His own people — a nation that should strive after holiness of life manifested through purity of worship (comp. XI. 44, 45; XIX. 36, 37; XXV. 38; Num. XV. 40, 41). — The Rabbins accurately defined the notions of "profanation" and of "sanctification of the Divine name" (חֻלּוּת הַשֵּׁם and קִדְּשׁוֹת הַשֵּׁם), and they declared that an Israelite who, to escape death, committed one of the three chief crimes — idolatry, incest, and murder — profaned God's name; while he who, when in peril of his life for the sake of his religion, imitated the fortitude of Hananiah, Michael, and Azariah, sanctified it.

of Israel: I *am* the Lord who hallow you, 33. Who brought you out of the land of Egypt, to be your God: I *am* the Lord.

Apostasy or even vacillation under such circumstances can neither be expiated by repentance nor by the Day of Atonement, but only by death (comp. *Talm.* Pesach. 25^a; Yom. 86; Sanhedrin 74^a; Avodah Zarah 27^b; *Maimonid.* Yesod. Tor. c. 5; *Yor. Deah* § 157).

VI.

THE SABBATH AND THE FESTIVALS.

CHAPTER XXIII.

SUMMARY. — God communicates to Moses ordinances with respect to the Sabbath (vers. 1—3) and the five great annual festivals (vers. 4—43), viz. (1.) Passover (vers. 4—14) in the three divisions of the Pesach (ver. 5), the Feast of unleavened Bread (vers. 6—8), and the firstfruit Sheaf (vers. 9—14); (2.) The Feast of Weeks (vers. 15—21), followed by an injunction of charity in relation to the harvest (ver. 22); (3.) The Day of the Memorial of blowing the Trumpet (vers. 23—25); (4.) The Day of Atonement (vers. 26—32); and (5.) the Feast of Tabernacles (vers. 33—43). — Moses repeats these precepts to the people (ver. 44).

1. And the Lord spoke to Moses, saying, 2. Speak to the children of Israel, and say to them: The festi-

1, 2. All the Hebrew festivals — with the one exception of the Day of Memorial — have before been treated of, and some of them repeatedly; yet the compiler of our Book not unjustly deemed it expedient to review, in one comprehensive and connected sketch, the entire religious year, not only because, in his time, the number of sacred days had been completed and finally fixed, but because, in his age, those days were regarded in a new light and invested with a more profound meaning. An advance had been made from the cosmic and historical to the ethical sphere: the festivals were no longer understood merely as days of thanks-

giving for the bounty of *nature*, nor as occasions for tracing, with awe and reverence, in past and present events, the rule of a *Divine Providence*, but as seasons for self-examination and contrition, for the improvement and purification of the *soul* and the *heart*. The three older agricultural feasts had first been expanded, and they were then increased by other solemn celebrations, till at last the system of festivals was, in various ways, associated with the sacred number *seven*: there were *seven* great days of "holy convocation", when the whole community was to assemble, or at least to be represented, at the national Sanctuary; and the five

vals of the Lord, which you shall proclaim *to be* holy convocations — *even these are* My festivals.

principal festivals were understood as *seven*, by subdividing the first of them, the Passover, into three — viz. the Pesach (פֶּסַח), the Day of the first Sheaf (קָצִיר), and the Feast of unleavened Bread (מַצּוֹת). The theory is perfect; but its very completeness and thoughtfulness betray its age and origin.

On all these points, and on several other subjects touched upon in this chapter, we shall be able to be brief, as the festivals, in their development and organic connection, have been discussed in a previous treatise (see *supra* pp. 266—282); while many of the details have been explained in a former volume (Comm. on Exod. pp. 355—353, 453—459).

PHILOLOGICAL REMARKS. — No important objection can be raised to the place which this chapter occupies in the Book of Leviticus: the laws of sacrifice and priesthood, of purity and morality, or of everything necessary to secure the holiness of the Sanctuary, of the people, and of the land, having been treated of, a survey of the theocratic year in its totality seems appropriate, though it is surprising that the laws of the Sabbatical year and of the Year of jubilee, which embody some of the chief ideas of the festivals, and are in some respects their natural extension, do not follow immediately afterwards, but are separated from our laws by heterogeneous ordinances (ch. XXIV, XXV.). Our chapter itself, though at first glance presenting the appearance of remarkable unity, is not without irregularities which throw a clear light upon the mode in which the final reviser of our Book accomplished his task. We

shall at once state the result of a closer examination. The groundwork of the composition is a sketch of the proper or *annual* festivals, which commences with the heading, "These are the festivals of the Lord, holy convocations, that you shall proclaim in their seasons" (ver. 4); and which concludes with the words, "These are the festivals of the Lord, which you shall proclaim to be holy convocations, . . . besides the Sabbaths of the Lord, and besides all your gifts . . . which you give to the Lord" (vers. 37, 38). The arrangement of this list is strictly chronological; and though it connects, therefore, Passover with Pentecost, and New-year with the Day of Atonement, the former two agriculturally, the latter two spiritually allied with each other — ; it severs Tabernacles from its natural complements, simply because Tabernacles concludes the agricultural year. The sketch is complete in itself, and its logical consistency is only marred by one verse which has no reference to festivals — "and when you reap the harvest of your land, thou shalt not wholly cut the corners of thy field when thou reapest, nor shalt thou gather the gleanings of thy harvest; thou shalt leave them for the stranger; I am the Lord your God" (ver. 22); which words, almost literally borrowed from another composition (XIX. 9), were evidently added by an interpolator, with questionable judgment (see *infra* notes on ver. 22). But our compiler, anxious to surround the Sabbath, for reasons which we shall indicate below, with the utmost possible sanctity, included it in his code, made it the first, because it

is the most frequent, of holy convocations,) and introduced it with a special but so comprehensive a heading that the original one (ver. 4) was rendered superfluous, and now reads like a tautology — "Speak to the children of Israel, and say to them: the festivals of the Lord which you shall proclaim to be holy convocations, these are My festivals" (ver. 2). Besides this addition on the Sabbath, another was made, whether by the same or a different hand, with regard to Tabernacles (vers. 39—43); this was written independently of the preceding command (vers. 33—36), from which it is separated by a general conclusion (vers. 37, 38); it begins anew, and is not merely a supplement enjoining additional ceremonials, but has several statements in common with the first law (comp. vers. 34 and 39, 41). — A few words expressing that Moses conveyed the Divine directions to the people, fitly terminate the chapter (ver. 44), and they may possibly have formed part of the original outlines. — Thus all that was essential to guide the Israelites in some of their most important religious duties, was incorporated in the composition which, gradually enlarged, embodies the latest laws and theories of Hebrew festivals. These remarks render it unnecessary to advert to the numerous devices of apologists, often ingenious but uniformly unsuccessful, attempting to prove the unity and continuity of our chapter (see f. i. *Ranke*, *Untersuch.* II. 101—108; *Hävernick*, *Einleit.* I. 2, p. 419; *J. Bachmann*, *Die Festgesetze des Pentateuchs*, pp. 102—138; *Keil*, *Levit.* pp. 134, 135; and on the other hand, *De Wette*, *Beiträge*, II. 293, 294; *Einleit.* pp. 204, 205; *George*, *Jüd. Feste*, pp. 120—144; *Stähelin*, *Untersuchungen*, pp. 24, 25; *Lengerke*,

Kenaan, pp. 537—543; *Hupfeld*, *De primitiva et vera festorum apud Hebraeos ratione* etc. II. 1—18; *Knob.* Levit. p. 540; *Graf*, *Geschichtl. Bücher*, pp. 78, 79; *Künen*, *Hist. Crit.* I. 50). — The Newmoon, though in the course of time made the subject of precise laws, and distinguished by special public sacrifices (Num. XXVIII. 11—15), is here not noticed, because it is no "holy convocation" (the arguments of Hengstenberg, *Tag des Herrn*, p. 32, — who tries to prove the contrary, are not conclusive; comp. also *Knob.* Levit. p. 542; *Keil*, *Archaeol.* I. § 78). — מִן, from מָן, to appoint or to fix, is an appointed season of regular recurrence (comp. Gen. I. 14; XVII. 21; XVIII. 14; XXI. 2; Num. IX. 2, 3; Jer. VIII. 7; Ps. CIV. 19; etc.); but as מָן has also the meaning of meeting or assembling (whence מִן מִן Tent of Meeting; comp. Comm. on Ex. p. 493), it has the collateral sense of day of public assembly, and is, therefore, analogous to מִן convocation, by which it is almost explained (מִן מִן, וְהָיָה אֵשֶׁר תִּקְרָא אִתָּם מִן, vers. 2, 4, 37). מִן, or more frequently מִן מִן, has its name from the congregation being "called together" for the celebration of the festivals by means of two silver trumpets, which were blown by the priests while the public sacrifices were being offered (comp. Ps. XXVII. 6, וְהָיָה רִנָּתוֹ), and the sound of which served as "a memorial before God" (see *infra* on vers. 23—32; comp. Num. X. 1—10; XXXI. 6; Isai. I. 13; Joel II. 15, 16; Ps. LXXXI. 4; also Exod. XII. 16; Num. XXVIII. 25, 26; XXIX. 1, 7, 12); and by way of metonymy מִן is also the place in which festive gatherings are held (Isai. IV. 5). — In the phrase מִן מִן, the personal pronoun מִן serves as copula; comp. Gen. XXV. 16; etc.

3. Six days shall work be done; but on the seventh day is the Sabbath of rest, a holy convocation;

3. The Sabbath, essentially peculiar to the Hebrews, was no doubt introduced at a very early time; yet it was but gradually understood, and most reluctantly accepted by them, as a day of perfect rest. The teachers were so strongly convinced of its supreme importance both for the physical and the spiritual welfare of the people, and for training them to humanity towards toiling men and beasts, that they availed themselves of every possible opportunity to represent it as a Divine institution. With this object in view, they framed a sublime cosmogony culminating in the rest of the Creator on the seventh day; they included the law of the Sabbath in the sacred and fundamental code of the Decalogue, in which they based it either likewise on the origin of the universe, or on the Israelites' redemption from Egyptian bondage and drudgery; they enjoined it again and again in their laws, and they illustrated it by various historical incidents; they even called in the aid of miracles to impress its paramount sanctity, as for instance, in the account of the manna gatherers; they described it as an eternal "sign" (תֹּמֶיךָ) of the covenant between God and Israel, and insisted that its desecration should unsparingly be punished with death (comp. Gen. II. 2, 3; Exod. XVI. 22—30; XX. 8—11; XXIII. 12; XXXI. 13—17; XXXIV. 21; XXXV. 2, 3; Num. XV. 32—36; Deut. V. 12—15; Ezek. XX. 12, 20; XLIV. 24; XLVI. 3; etc. see Comm. on Exod. pp. 355—363). But their efforts were for a long time all but fruitless. In some manner the day seems indeed to have been kept both in the kingdom of Judah

and of Israel (comp. Isai. I. 13; Hos. II. 13; Am. VIII. 5; 2 Ki. IV. 23). But prophets and historians writing during and after the Babylonian exile prove by their exhortations and their narratives, how little the people understood the spirit of the Sabbath. Jeremiah, in a most solemn speech addressed to the assembled multitude, implores them, "Do not carry forth a burden out of your houses on the Sabbath day, nor do any work, but hallow the Sabbath day"; yet "they obeyed not, and inclined not their ear, but were stiff-necked"; then he promised them blessings and wealth and power if they kept the Sabbath in the manner ordained, and concluded, "If you will not hearken to Me to hallow the Sabbath day, and not to bear burdens, entering in at the gates of Jerusalem on the Sabbath day; then will I kindle a fire in the gates thereof, and it shall devour the palaces of Jerusalem, and it shall not be quenched" (Jer. XVII. 19—27). Such severe menaces were needed even more than nine centuries after Moses. Jeremiah's younger contemporaries Ezekiel and the second Isaiah, dwell on the same subject in the same strains. The former, full of sorrow and indignation, reproaches both the people and the priests that "they have profaned the Sabbath very much" since the time of the wanderings in the desert down to his own days, so that they would have been destroyed by God's anger, had not His mercy and long-suffering spared them (Ezek. XX. 13, 16, 24; XXII. 8, 26; XXIII. 38). And the later Isaiah, in promising his fellow exiles deliverance from their troubles, almost renders it dependent on their faithful observance of the

you shall do no work *therein*; it is the Sabbath of the Lord in all your dwellings.

Sabbath which they had so constantly and so flagrantly neglected: "blessed is the man", he exclaims, "who does this, . . . who keeps the Sabbath from polluting it, and keeps his hand from doing any evil"; and to the foreigner and the forlorn he announces that "God will give them in His Temple and within His walls, a place and a name better than of sons and daughters", and will "make them joyful in His House of prayer, accepting their burnt offerings and their sacrifices upon His altar", if they will but refrain from desecrating the holy Sabbath (Isai. LVI. 2—7; LVIII. 13). Yet even a century later, Nehemiah, when enforcing the old religious commands, was compelled to adopt most rigorous measures to ensure the observance of the Sabbath. He caused the principal settlers to agree to a covenant by which they pledged themselves, among other duties, that "if the people of the land would bring any wares or victuals on the Sabbath day to sell, they would not buy of them on that holy day". However, the bulk of the colonists persevered in their old practices, and Nehemiah relates: "In those days I saw in Judah some treading wine presses on the Sabbath, and bringing sheaves, and lading asses; as also wine, grapes, and figs, and all manner of burdens which they brought into Jerusalem on the Sabbath day . . . There dwelt men of Tyre also therein, who brought fish and all manner of ware, and sold on the Sabbath to the children of Judah, and in Jerusalem". Then he argued with them severely, exclaiming, "Did not your fathers do thus, and did not our God bring all this evil upon us, and upon this

city? yet you bring more wrath upon Israel by profaning the Sabbath"; and in order to prevent unlawful traffic, he ordered that the gates of Jerusalem should be kept closed, and be watched by Levites and others, from the eve of the Sabbath till after its conclusion; nevertheless "merchants and sellers of all kind of ware" arrived and remained with their goods during the day without the gates; and the people yielded only to long continued vigilance and rigorous compulsion (comp. Nehem. XIII. 15—21; see also IX. 14; X. 31). We can, therefore, well understand that the levitical authors deemed it necessary to surround the sanctity of the Sabbath with new safeguards; the compiler of our code for the first time included it formally among the days of "holy convocation", though an earlier writer, describing "the new heavens and the new earth", had ideally and prophetically raised it to the same distinction: "It shall come to pass that from one new moon to another, and from one Sabbath to another, shall all flesh come to worship before Me, says the Lord" (Isai. LXVI. 23). For the Sabbath, from early times chosen for consulting or listening to "men of God" (2 Ki. IV. 23), had after the exile, when learned scribes taught and exhorted in numerous Synagogues scattered throughout the land, become one of the most powerful means of diffusing and enforcing religious lessons; it proved, moreover, a valuable agency for cementing the unity of congregations and for organizing local centres which, in a different though hardly less efficient manner than the pilgrimages made to the common Sanctuary,

4. These *are* the festivals of the Lord, holy convocations, which you shall proclaim in their seasons.

5. In the first month, on the fourteenth *day* of the

strengthened the feelings of nationality and increased the people's attachment to their purified faith. Therefore the injunctions with respect to the rest of the Sabbath became more and more rigorous; in another portion of the middle Books of the Pentateuch it is related, as a terrible warning, how a man who had gathered sticks on the Sabbath, was by God's special directions stoned to death by the whole community (Num. XV. 32—36; comp. Exod. XXXV. 3); in subsequent centuries precepts were added to precepts; the spirit of the institution was burdened by minute observances; the day of liberty was made a day of oppressive restraint, until it became necessary to remind the Pharisees that "the Sabbath was made for man, and not man for the Sabbath" (Mark II. 27, 28; comp. 1 Macc. II. 34—38; 2 Macc. VI. 11; Matth. VII. 8; Luke VI. 5; John V. 10, 16; etc.; comp. *Mishn.* and *Talm.* Tract. Shabb.; *Orach Chay.* §§. 242—395; etc.).

PHILOLOGICAL REMARKS. — The wording of our law of the Sabbath approaches, among the numerous commands on the same subject, nearest to that of Exod. XXXI. 15 and XXXV. 2; except that here the punishment of profanation is omitted, and the Sabbath is for the first time designated as *שַׁבָּת* *קֹדֶשׁ*. — The Sept., reading *ἡμέραν ἁγίαν*, renders *πρωτεύουσα* (comp. Exod. XX. 9 *רִאשִׁית*). — The phrase *יְרֵאָהוּ* *הַיּוֹם*, which in earlier Books is also used with regard to the Sabbath, and is in Leviticus applied, besides, to the Day of Atonement and the Sabbatical year (see *supra* p. 281 note 10),

means the most perfect or absolute rest, the syllable *י* being an old termination for the superlative (as in *יִשְׁכַּל* and *יִרְמָה*); hence even *יְרֵאָהוּ* alone involves a greater intensity of the notion, and is employed with emphasis in reference to the Sabbath, the New-Year, Tabernacles, and the Sabbatical year (see l. c.); in *יְרֵאָהוּ* *הַיּוֹם* it has the force of the plural, which more usually follows the construct state to strengthen the idea; yet we find also *יְרֵאָהוּ* *הַיּוֹם* (Hos. X. 15) your fearful wickedness: *הַיּוֹם* *הַיּוֹם* (1 Chr. IX. 32) is "every Sabbath", like *הַיּוֹם* *הַיּוֹם* (Num. XXVIII. 10; see Gram. §. 75. 7.b,c). The Sept. adds a synonym *ἀδελφὰν ἀνάπαυσιν*.

4—14. The list of the annual festivals begins with that which, if it was not the oldest, received the earliest and fullest development; and it is treated of in three distinct divisions, each of which has its own history — the Feast of the Pesach (*פֶּסַח*), the Feast of unleavened Bread (*מַצּוֹת*), and the presentation of the Sheaf (*קָצִיר*). All of them were, in their first origin, probably pastoral or agricultural — the Pesach being the sacrifice of the firstborn animals, the Unleavened Bread the symbol of the industry and "haste" (*יִרְאָהוּ*) of the busy harvest season, and the Sheaf the offering of the firstfruit corn. In the course of centuries, the first two lost their natural, and were invested with an historical meaning, while the third became more independent and more solemn. For in the various legislations of the Pentateuch, the ordinances of the Pesach and of the firstborn are almost invariably coupled, and are thus proved to possess an in-

month towards evening is the Lord's Passover. 6. And on the fifteenth day of the same month is the Feast of Unleavened Bread to the Lord: seven days you must

ternal affinity (compare Exod. XIII. 1—16; XXXIV. 18—20; Deut. XV. 19 — XVI. 8; see also Exod. XXIII. 18, 19; XXXIV. 25, 26); but the identity of both is effaced, and the Pesach, almost as enigmatical to us as the word itself, is invariably associated with Egyptian deliverance; the idea of the sacrifice (פֶּסַח) may still be recognised in the blood of expiation that was to be put on the doorposts and lintels of houses which represented the altar; but it is obliterated in the other rites connected with the Pesach — viz. that it was to be roasted in its entirety, without a bone being broken, and completely consumed in the homes of the Israelites, in family or social groups, together with bitter herbs and unleavened cakes: these features, whether partially retained from old customs or newly introduced, were adapted to the historical meaning attributed to Passover, and were intended to symbolise, on the one hand, the bondage and the release of the Hebrews; and on the other hand, their transition into a united and well-organised commonwealth cemented by common convictions, laws, and interests. But such abstract ideas, embodied in elaborate emblems, bespeak a very advanced age, and they gained ground only at a late period of Hebrew history — whether before or after the Captivity, is still a matter of critical discussion. Certain it is, that the laws of the Pesach underwent no unimportant changes; thus the Deuteronomist ordains, "Thou shalt sacrifice the Pesach to the Lord thy God of the flock and the herd" (פֶּסַח בְּכֹרֹת);

whereas the command in Exodus more minute and precise, and reflecting the ceremonial spirit of levitism, prescribes "a lamb, without blemish, a male, one year old, from the sheep or from the goats" (Deut. XVI. 2; Ex. XII. 5). Again, according to Deuteronomy, the Hebrews must sacrifice the Pesach only at the common Sanctuary, whereas the law of Exodus permits it to be killed at any place (Deut. XVI. 5—7; Exod. XII. 24—27); the former mentions as the time simply "the evening" (עֶרֶב) when the sun goes down, the latter more accurately "between the two evenings" (בֵּין הָעֶרְבַּיִם, Deut. XVI. 4, 6; Exod. XII. 6); the one orders that the animal shall be "sodden" (בִּשְׁלִי), the other that it shall be "roasted with fire" (עָלָה בְּאֵשׁ) and not "sodden with water" (בִּשְׁלִי בַּמַּיִם, Deut. XVI. 7; Exod. XII. 8, 9; comp. 2 Chron. XXXV. 13, כִּשְׁלִי בַּמַּיִם); and lastly, the one restricts the participation of it to native Hebrews, while the other extends it to foreign slaves and to other circumcised strangers, and this equality is granted to domestics and settlers with that unreserved liberality which was but gradually accorded to them (Ex. XII. 42—49; Num. IX. 14; comp. Lev. XIX. 33, 34; see *supra*, p. 435). Some of the statements in Exodus involve indeed a less developed phase, but their foundation is no doubt older; there is a constant tendency in the sacrificial legislation to concentrate all offerings at the common Temple; and it is impossible to suppose that, after the Deuteronomist had commanded the killing of the Pesach in Jerusalem, a later writer should have allowed it to take

eat unleavened bread. 7. On the first day you shall have a holy convocation, you shall do no servile work *therein*. 8. And you shall offer an offering made by fire

place in all towns alike: this would be assuming an anachronism at variance with the whole history of hierarchical institutions. The Pesach was a sacrifice in the stricter sense, and though, as was the case with all sacrifices, any Israelite was allowed to slaughter the victim; the sprinkling of the blood, which was the essential rite, was performed by the priests exclusively (comp. 2 Chr. XXX. 16—18; XXXV. 11; Ezra VI. 20; *Philo*, Vit. Mos. III. 29; Decal. c. 30; De Septen. c. 18; *Jos. Ant.* XVII. ix. 3; *Rashi* in loc. הקרבן קרבן וסעודתו; see Comm. on Lev. I. 184, 185, 291—293). It was gradually held to be so important that it was to be killed and eaten, with all attendant rites, a month later, by those Hebrews and strangers who had been prevented from offering it at the appointed time; while those who failed to present it in the first month without adequate reason, were rejected from the Hebrew community and menaced with excision (Num. IX. 1—14). When our author wrote, he must have supposed that the precepts of Exodus were familiar to all; for he simply states, "In the first month, on the fourteenth day of the month towards evening is the Lord's Passover", without adding any detail or explanation whatever. Ezekiel, living between the time of the Deuteronomist and the compiler of this chapter, retained for his new commonwealth also the Pesach, but proposed that on the same day, the fourteenth of the first month, the "prince" or chief (נָזִיר) should present for himself and the whole people a bullock as a sin-offering; because in his time expia-

tory sacrifices had commenced to be regarded as essential complements of the older holocausts.

We can hardly lay much stress upon the fact that the earlier codes quite generally ordain that the Pesach should take place "in the month of Abib", while the later laws distinctly specify the fourteenth day of that month (comp. on the one hand, Exod. XIII. 4; XXIII. 15; XXXIV. 18; Deut. XVI. 1; and on the other hand, ver. 5; Exod. XII. 6, 17; Num. IX. 3, 5; XXVIII. 16); since the earlier legislators also institute a festival of seven days, and must, therefore, have had in mind a certain day for its commencement. But it cannot be accidental that the one appoint only the seventh day as a festive assembly of the congregation, the others both the first and the seventh day (comp. vers. 7, 8; Exod. XII. 16; Num. XXVIII. 18, 27; and Exod. XIII. 6; Deut. XVI. 8); the celebration became gradually more extended and more formal, and it was deemed desirable to fix *severn* such solemn days in the religious year. On those two chief days of the festival no "servile work" (עֲבֹדָה שְׁעָבָד) was to be done, which is elsewhere explained to mean no work whatever except that which is required for the preparation of food (Exod. XII. 16): there was to be a cessation from all business and all the labour it renders necessary; yet there needed to be no "perfect Sabbath", and fire might be lighted for the purpose mentioned. The beginning of the festival and its conclusion were in two ways to be marked as belonging together — by special sacrifices, and by the eating

to the Lord seven days. In the seventh day *is* a holy convocation; you shall do no servile work *therein*.

9. And the Lord spoke to Moses, saying, 10. Speak

of unleavened bread, during the whole of the seven days. But in the former respect, the mode of the ceremonial, in the latter its meaning was changed in the course of time. Ezekiel ordains that during the seven days of the festival the chief of the people shall "present a burnt-offering to the Lord, seven bullocks and seven rams without blemish daily the seven days, and a kid of the goats daily for a sin-offering"; and, besides, a bloodless offering of "an ephah for each bullock, and an ephah for each ram, and a hin of oil for each ephah" (Ezek. XLV. 23, 24). Our text contents itself with briefly prescribing, "And you shall present an offering made by fire to the Lord seven days" (ver. 8). Are here the same sacrifices meant as those set forth by Ezekiel? Probably not; for in the Book of Numbers very different burnt-offerings are commanded, viz. on each of the seven days two young bullocks, one ram, and seven lambs of the first year; and as an accompanying bloodless oblation three tenths of an ephah of fine flour mingled with oil for each bullock, two tenths for each ram, and one tenth for each lamb (Num. XXVIII. 13—15). This was probably the latest injunction on the subject, for nowhere else is the quantity of the flour for the *minchah* so nicely graduated according to the value of the animal sacrifice with which it is coupled (see Comm. on Lev. I. 217).

The "unleavened cakes" (*ḥametz*), the common accompaniment of all sacrifices, and therefore also of that of the firstborn and of the Pesach, formed originally a feature so little

conspicuous that it was eclipsed by the public sacrifices, and that one of the earlier authors wrote: "Six days thou shalt eat unleavened bread, and on the seventh day there shall [moreover] be a solemn assembly to the Lord thy God" (Deut. XVI. 8). But in the course of time, they were connected with the history of the exodus, which was accomplished "in haste" (*ḥastā*), and did not allow of the baking of leavened bread (Deut. XVI. 3; Exod. XII. 34, 39; comp. ver. 11). And this view was soon enlarged by explaining the unleavened cakes, or the "poor bread" consisting of nothing but flour and water, as "bread of misery" (*ḥametz*); and then they were raised to one of the distinctive and most important characteristics of the festival, which was currently called "Feast of unleavened Bread"; like the bitter herbs, they were to remind later born Hebrews of the providential release of their forefathers from oppressive bondage, and thus to strengthen those feelings of gratitude and of pious submission which were fostered by so many doctrines and striking symbols as one of the great ends of a religious life. Then anyone eating leavened bread with the flesh of the Pesach or during the whole period of the festival, was threatened with the dread punishment of excision; leavened food of any kind was proscribed with the same severity; the stranger was included in the prohibition like the Hebrew; nay even keeping leaven in the houses within that time was forbidden with equal rigour, not only in order to remove every occasion and

to the children of Israel, and say to them, When you come into the land which I give to you, and shall reap its harvest, you shall bring the firstfruit sheaf of your

temptation for transgressing the command, but because leaven, resulting from corruption, was then understood as an emblem of sin and degeneracy, and was, therefore, like honey, strictly excluded from the altar as unfit for "a sweet odour" (II. 11, 12; Comm. on Lev. I. 133—135). When this idea was attached to leaven, the *Mazzoth* may well have been understood as the "pure or holy bread", and conceived as emblems of that purity and holiness after which the Hebrews were to strive as God's redeemed and chosen people. Thus the old forms and customs were rendered more and more fruitful for religious sentiment and contemplation, and were employed to enforce the new ideas suggested by advanced experience and more matured thought (see Exod. XII. 15, 18—20; XIII. 6, 7; XXIII. 15, 18; XXXIV. 18, 25; Num. XXVIII. 17; Deut. XVI. 3, 4).

Our imperfect sources do not permit us to determine with any degree of certainty whether, in remote times, the Passover was really celebrated as the corn harvest; a statement in an early composition renders this at least doubtful; for the "Book of the Covenant" in Exodus (XXIII. 16) describes *Pentecost* quite generally as "the feast of harvest, the firstfruits of thy labours which thou hast sown in thy fields"; as if meaning both the earlier and the later grain, both barley and wheat. In the oldest documents, Passover is always described either as the Pesach or as the Feast of unleavened Cakes, and is, in both respects, associated with the Egyptian redemption; it is only in this code of Leviticus distinct-

ly represented as the beginning of the corn harvest, and marked as such by a peculiar rite to take place on the sixteenth day of the first month, that is, on the day following the first convocation of the festival (למחרת ראשון; see Phil. Rem.). Not even the Deuteronomist makes any allusion to a firstfruit sheaf (קציר) to be presented with a prescribed ceremonial and sacrifice; he indeed also calls Pentecost the "Feast of Weeks" (שבועות); but instead of counting the seven weeks from a particular day, the sixteenth of Abib, as our text enjoins, he prescribes: "Seven weeks shalt thou number to thee; begin to number the seven weeks from such time as thou beginnest to put the sickle to the corn" (Deut. XVI. 9) — which is so vague as a measure of time that it gives some countenance to the opinion above alluded to that at first no regular day was fixed for the beginning of Passover, provided only that the whole festival was celebrated in the first month. The religious institutions were, after the exile, regulated with increasing precision; individual option was more and more restricted, and finally replaced by uniformity and compulsion. It was considered appropriate to signalise the commencement of reaping by some act of grateful devotion; therefore the first sheaf of the new crop was fitly consecrated by a rite which stamped it, and with it the whole harvest, as the gift of the Lord of heaven and earth, the Bestower of all human blessings (see Comm. on Lev. I. pp. 199—201); and moreover, the bloodless oblation which accompanied the animal sacrifice offered on the same

harvest to the priest; 11. And he shall wave the sheaf before the Lord for your acceptance; on the morrow after the rest-day the priest shall wave it. 12. And

day, was to consist of double the usual quantity of flour—two omers instead of one—in thankful acknowledgment of the abundance vouchsafed anew by God's bounty; and because the Sheaf was itself regarded as a sacrifice requiring its *minchah* (see Comm. on Lev. I. 222): the drink-offering, confined to the usual fourth part of a hin, was not enlarged, in order to render the increase of the flour the more conspicuous (comp. *Talm. Menach.* 89^b). It was only when these acts of devotion had been performed, that the people were allowed to use the new corn as food in whatever form of preparation (comp. Josh. V. 11; *Mishn. Menach.* X. 5—7; *Talm. Kidd.* 39^a; *Menach.* 70^b; *Orach Chay.* § 489; *Yor. Deah* § 296). But not even in this respect did the law at once assume a definite form. From the Book of Joshua (V. 11), which must be read in connection with Deuteronomy, it appears indeed that the new produce was not permitted to be eaten before a particular day; but in Joshua this is not, as in Leviticus, the sixteenth, but the fifteenth day of the first month, or "the morrow after the Pesach" (פֶּסַח מָחָר; comp. Num. XXIII. 3): the offering of the first-fruit sheaf was not yet instituted; and therefore the earlier and significant ritual of the Pesach was taken as a distinct epoch.

At last the Passover was developed in its three chief directions, the agricultural, the historical, and the spiritual; and then it was celebrated in accordance with all the combined precepts of the Pentateuch, as is confirmed by the testimony and the allusions of Josephus (*Ant.* II. xiv. 6; xv. 1; III. x. 5; *Bell. Jud.* V. iii. 1;

VL ix. 3): but that it was imperfectly solemnised "from the days of the Judges who judged Israel and in all the days of the kings of Israel and of Judah", is admitted in the Books of Kings and Chronicles (2 Ki. XXII. 23; comp. 2 Chr. XXX. 5, 26; XXXV. 17, 18). King Josiah kept it in harmony with the commands of Deuteronomy; but how much these fall short, in strictness and precision, of those of the middle Books of the Pentateuch, will be evident from the preceding remarks (comp. Num. IX. 5; Josh. V. 16; Ezra VI. 19, 22).

The ideas of presenting the first-fruits of the harvest to the deity, and of not enjoying the new crops before that act of gratitude and homage has been performed, are so natural that they are met with among many ancient and eastern nations (see Comm. on Exod. p. 440, and on Lev. I. 613; *Knobel*, Lev. p. 546; comp. esp. *Virg. Georg.* I. 347—350, *Neque antea falcem maturis quisquam supponat aristis* etc.; *Plin.* XVIII. 2, *ne degustabant quidem novas fruges aut vina, antequam sacerdotes primitias libassent*; *Diod. Sic.* I. 143; *Censorin.* De Die Nat. c.1, *cum perciperent fruges, antequam vescerentur, deis libare instituerunt*; *Spencer*, Legg. Ritt. III. i. 9).

It would be an endless and an unprofitable task to enumerate the Rabbinical ordinances with respect to the Pesach and the Unleavened Cakes; but we shall briefly advert to the precepts of the Mishnah in reference to the first-fruit Sheaf. That a sheaf of *barley* is meant, was believed to be a tradition dating from the time of Moses, the Bible being silent on the matter. Now at dusk on the fifteenth day of Nisan, even if

you shall offer on the day when you wave the sheaf a he-lamb without blemish, one year old, for a burnt-offering to the Lord. 13. And the bloodless offering thereof *shall be* two tenths of an ephah of fine flour

this was the eve of the Sabbath, delegates from the ecclesiastical Court went out to a field in the neighbourhood of Jerusalem, and tied together the tops of ripe barley ears, in order to render the cutting more easy. This was done as publicly as possible, in the presence of a large concourse of people, in order to show that the "morrow of the Sabbath" (vers. 11, 15) was understood to mean the day after the first day of Passover, and not, as the Sadducees and Boethusians supposed, the day after the next weekly Sabbath. Then three ephahs of barley were cut, and brought into the Court of the Temple. Here the grains were beaten out gently to prevent their being crushed, roasted in a perforated vessel, and then spread out on the floor to be winnowed by the wind. After having been ground in a coarse mill, a tenth of an ephah of the flour was taken and sifted through thirteen sieves; oil and incense were added to it; thus it was "waved"; a handful was burnt on the altar as a memorial, and the rest was eaten by the priests (comp. *Mishn. Menach. X. 1—9*).

PHILOLOGICAL REMARKS. — The Pesach and its history have been differently viewed by others; Graf, for instance, supposes that, before the exile, the Hebrews commonly killed the animal in the Temple, as ordained in Deuteronomy; but that during the exile, when they lived in dispersion, they accustomed themselves to slaughter it in their own houses, as described in Exodus; and that this custom was, after the

reorganisation of the commonwealth, legalised and represented as the earliest command on this subject (comp. *Graf, Geschichtl. Bücher*, pp. 84, 85; *George l. c.* pp. 237, 238). However, this view is opposed to all historical probability, and is unsupported by any Biblical allusion. Nor should we be inclined to assume, without further proof, the exact identity of the Pesach and the firstling offering, since to either of them a distinct character may well be assigned (comp. *Baur, Tübing. Zeitschr. I.* pp. 48. *sqq.*; *George, l. c.* p. 112, 223; *Riehm, Gesetzgebung im Lande Moab*, pp. 52 *sqq.*; *Hupfeld, l. c. II.* pp. 8—11, 17, 22 *sqq.*; *Graf, l. c.* p. 33; a. o.). — The discrepancy between ver. 14 and Josh. V. 11, to which we have above alluded, has been accounted for by the unfounded assumption of a two-fold Pesach — "a Pesach of the Lord and a Pesach of the Israelites", the former being offered in the evening of the *fifteenth* day of Abib (comp. *Ebn Ezra* on ver. 11). — On the term *עֲרֹבֹתָא* (ver. 5.), lit. "between the two evenings", i. e. the time between the decided decline of the sun and his setting, see *Comm. on Lev. I.* p. 171. Rashi explains in our passage from the sixth hour and upwards, fixing the commencement probably too early. — *עֲרֹבֹתָא*, distinct from *עֲרֹבָא*, is work connected with toil and anxiety, and with the ordinary business and occupation of life; De Wette aptly *Geschäftsarbeit*; other translators more literally, as Sept. *ἔργον λατρευτόν*; Vulg. *opus servile*, Engl. Vers. *servile work*, Rashi a. o. such labours the omission of

mingled with oil, an offering made by fire to the Lord of a sweet odour; and the drink-offering thereof *shall be* wine, the fourth *part* of a hin. 14. And you shall eat neither bread, nor roasted *grains*, nor early corn, until the self-

which involves a pecuniary loss; etc.; the term occurs only in our chapter (vers. 7, 8, 21, etc.) and in the parallel sections of Numbers (XXVIII. 18, 25, 26; XXIX. 1, 12, 35: such passages as Exod. XXXV. 24; XXXVI. 1, 3; 1 Chr. IX. 13, 19, are not analogous); it was evidently not chosen before the Sabbath and the festivals were each invested with a clearly marked character; and the Deuteronomist still ignored the distinction, as he simply forbade לעבוד on the seventh day of Passover (Deut. XVI. 8). The rules, set down on the subject by the Rabbins, are extremely elaborate (comp. *Talm. Bez.* 8^b; *Macc.* 21^b; *Orach Chay.* § 495).—If the portion with regard to the Sheaf (vers. 9—14) were “an early fragment” here inserted by our compiler (so *George*, l. c. 226), it would be strange and almost unaccountable, why not even Deuteronomy and the Book of Joshua make any allusion to that ceremony. — On the meaning of לעבוד (vers. 11, 16) see Comm. on Exod. p. 455; comp. also *Grätz*, *Geschichte*, V. 503; *Fürst*, *Geschichte des Karäerthums*, I. p. 136, note 77; *Cassel*, *Sunem*, I. 34—36; *Frankel*, *Vorstudien zur Septuaginta*, p. 190; *Einfluss der Palästinensischen Exegese* etc. p. 136; *Rappoport*, *Erech Millin*, p. 256^b; *Bähr*, *Symb.* II, 620, 621; *Geiger*, *Urschrift*, pp. 138, 139; *Zeitschr.* 1863, p. 52; *Rudelbach und Guericke*, *Zeitschrift*, 1859, pp. 151, 152; *Wieseler*, *Chronol. Synopse*, pp. 348—354; *Bachmann*, *Festgesetze*, pp. 116—119; *Keil*, *Archaeol.* I. 393, 394; *Levit.* pp. 136, 137. The various opinions on the subject are briefly

these: (1.) The “Sabbath” is the weekly Sabbath in the Passover week (so the Sadducees, Boëthusians, and Karaites, and many later expositors; comp. *Talm. Menach.* 65^b; *J. Meyer*, *De festis Hebr.* pp. 295—300; *Lightfoot*, *Hor. Hebr. ad Act.* II. 1; etc.); (2.) It is the seventh day of Passover, that is, the twenty-first day, or the third Sabbath, in the first month, since every new year, as is asserted, commenced with a Sabbath (so *Hitzig*, *Hupfeld*); (3.) It is the fourteenth day or the second Sabbath in the first month, and therefore the “day after the Sabbath” is the first day of Passover (*Knobel*); and (4.) It is the rest-day or the “holy convocation” of the fifteenth day of the first month, so that the offering of the Sheaf took place on the sixteenth of Abib, the first busy work-day of the harvest, in relation to which the preceding day might well be called a “Sabbath” or rest-day, though not all labour was prohibited. This, the oldest and the traditional view of the Jews, is alone compatible with the context, and is free from the objections to which all the other opinions are open (comp. *Talm. Menach.* 65^b, 66^a; etc.; *Ebn Ezra* on ver. 11). — On לעבוד (ver. 12), an expression occurring only in later works, see p. 213. — From the sixteenth day of the month, “bread” (לחם) was permitted (ver. 14), that is, unleavened bread; for לחם is food in general; or if leavened bread be understood, the permission could only take effect after the conclusion of Passover: the use of that term offers, therefore, no difficulty (comp. *Hupfeld*, l. c. II. 4). — On לחם and לחם

same day that you bring the offering to your God: *it shall be* a statute for ever throughout your generations in all your dwellings.

15. And you shall count to you from the morrow after the rest-day, from the day that you brought the

ḥagiz, which we render *roasted grain and early corn*, see notes on Lev. II. 14, pp. 486, 487. In our passage the two words are interpreted by the Sept. *παρυσμένα χῖθα véa* (new roasted groats), Luth. Sängen und Korn, Engl. Vers. parched and green ears, De Wette geröstete und gestossene Körner, etc., which translations are partially incorrect or inaccurate. Rashi explains *ḥagiz* "flour made of tender ears dried in an oven" (comp. *Virg. Georg. I. 267, nunc torrete igni fruges*), and *ḥagiz* by "parched corn called *ḥagiz*" i. e. grénailles, grains; but it is more than doubtful whether *ḥagiz* applies to *ground* corn; though this view has been taken by others also (comp. Vulg. *polenta et pultes; Jon. Ruth II. 14, ḥagiz*; *Buxi. Lex. Talm. p. 2547 sub ḥagiz*). —

15—21. The second great festival is so clearly defined in its character, and so important in itself, that it hardly changed in the course of many centuries, and was, in the Biblical times, not associated with any historical event. It was simply the "Feast of Harvest" (*ḥagiz*, Exod. XXIII. 16), or "the Day of the Firstfruits" (*ḥagiz*, Num. XXVIII. 26), that is, as it was subsequently defined, "of the firstfruits of the wheat harvest" (Exod. XXXIV. 22), since among the common grains, wheat is the last that attains maturity, and the firstfruits of wheat include or pre-suppose the firstfruits of other crops. As to the date of its celebration, it was, rather vaguely, ordered to take place seven weeks from the period that "the sickle is put to

the corn" (Deut. XVI. 9); and then it was termed the "Feast of Weeks" (*ḥagiz*, Exod. XXXIV. 22; Deut. XVI. 10); it was a time of gladness and gratitude, which were to be evinced at the common Sanctuary by free-will offerings and by social feasts to be shared by all the members of the household and by needy guests, such as the Levite and the stranger, the orphan and the widow (Deut. XVI. 10—12). But when the peculiar rite of the firstfruit Sheaf was instituted and sanctioned; the seven weeks were more accurately counted from the day on which that Sheaf was offered, that is, from the sixteenth day of the first month, and then the two festivals of Passover and Pentecost were regarded as so closely united—the one being the commencement, the other the completion of the harvest—that the latter was subsequently termed the Feast of Conclusion (*ḥagiz*), as if it had hardly an independent existence of its own; and it always remained limited to a single day, as the culminating point of the harvest season. Therefore, in our section, the injunctions with respect to Pentecost were, under the same heading, coupled and closely connected with those on the first Sheaf (vers. 9, 15). Now the "seven weeks" (*ḥagiz*) were more exactly defined as "seven complete weeks" (*ḥagiz*), in order to point emphatically to the significance of the number seven, the holy foundation of all the festive seasons; and then the free-will offering of former days (Deut. XVI. 10) was replaced by a public ritual of thanksgiving precise

sheaf of the-wave offering; seven weeks shall be complete; 16. Until the morrow after the seventh week shall you number fifty days; and then you shall offer a new bloodless offering to the Lord. 17. You shall bring out of your dwellings two wave-loaves of two tenths of an

in every detail, and evidently chosen with close reference to the Passover Sheaf: two leavened wheaten loaves were to be "waved" and presented to God, together with an ample burnt-offering, a sin-offering, and a thank-offering. The act of "waving" was common to both ceremonies, because in both instances the new produce was in the most impressive manner possible to be acknowledged as the gracious gift of the God of the universe (see Comm. on Lev. I. p. 228). But in all other respects the two rituals were clearly and judiciously made distinct. Only one Sheaf was offered, but two loaves, because the beginning of the harvest represents abundance in a less degree than its conclusion. The Sheaf was of barley, the loaves of wheat, not only because barley ripens first, and wheat three or four weeks later, in the second part of May (comp. Exod. IX. 31; Ruth I. 22 and II. 23), but because the superior grain was deemed more suitable at the end of the harvest, when its entire wealth was secured (comp. Comm. on Lev. I. pp. 120, 121). The one was presented on a work-day, the other on a day of rest and of festive recreation, which reached its climax, at the end of the agricultural year, in a celebration extending over a full week. On Passover, the produce was laid before God in its original, on Pentecost in a prepared state and as usually consumed, in harmony with the relation of the two festivals as beginning and completion. The Sheaf was of course accompanied by unleavened cakes,

but the loaves were leavened to make them more strikingly represent the common and ordinary food of the people, which had again been provided by God's blessing: it was only in these loaves and those eaten with the praise-offering (VII. 13), that leaven was admitted in the sacrificial service (comp. Comm. on Exod. p. 459). And lastly, the animal sacrifices were, at least according to our section, much more numerous on the second than on the first festival, for the reason already referred to, because the happy conclusion of the harvest particularly prompts the feelings of gratitude and religious submission (comp. vers. 12, 18, 19). But these sacrifices afford a clear proof, if one were needed, of the very late introduction of this ceremonial of the "Wave-loaves", or of "the new oblation" (לחם חדש), which is nowhere adverted to except in this chapter and the corresponding part of Numbers (XXVIII. 26). For our passage prescribes as a holocaust seven lambs, *one* young bullock, and *two* rams (ver. 18); whereas the law in Numbers demands seven lambs, *two* young bullocks, and *one* ram (Num. XXVIII. 27), or exactly the same species and numbers of animals as for the accompaniment of the Sheaf; and it makes no mention whatever of a thank-offering, for which our author ordains two additional lambs, likewise to be "waved", but to be given over to the priests in the manner of all thank-offerings (ver. 20). Tradition could find no other mode of overcom-

ephah; they shall be of fine flour; they shall be baked with leaven; *they are* the firstfruits to the Lord. 18. And you shall offer with the bread seven lambs without blemish, one year old, and one young bullock, and two rams: they shall be *for* a burnt-offering to the Lord, with their blood-

ing this difficulty than by summing up the numbers given in the two Books; thus Josephus states that on Pentecost the congregation offered "three bullocks for a burnt-offering, and two [three] rams, and fourteen lambs" (Ant. III. x. 6). But the Mishnah (Menach. IV. 2) considers the animals in our passage as being presented with the loaves, those in Numbers as "additional sacrifices" of the day (אֵלֵינוּ קִרְבָּן בְּגִלְלָהּ הַלֶּחֶם וְאֵלֵינוּ לִמְסֹכֶת); and so modern apologists, as Bachmann, Keil, a. o.): but it cannot be proved that the compiler of our chapter understood the subject in a similar manner (comp. *Maimonid.* Hilch. Tamid. c. 8). Even for generations after the Babylonian exile, when the principles of public worship had been agreed upon by the priests and the leaders of the people, fluctuations were inevitable in many details, and they left their traces in the latest portions of the Pentateuch. — It is well known that, from comparatively recent times, Judaism, guided by uncertain computations, celebrates the Feast of Weeks as the day of the revelation of the Decalogue; this meaning of the festival was still unknown to Philo and Josephus; and was, even in the middle ages, a matter of dispute among learned Jewish authorities. Abarbanel (on our passage, fol. 57^b ed. Amsterd.) observes, "There is no doubt that the Law was given on Pentecost, but this festival was not instituted in commemoration of that event"; for "the Divine Law which is in our hands, and the prophecy which is in our hands, are witnesses

in themselves, and there is no need to set apart and to hallow a day as a memorial" (see *supra*, p. 274; comp. *Maimon.* Mor. Nev. III. 43; *Cuzri* III. 10; *Orack Chay.* §. 494; *Lundius*, Heiligthümer, p. 1151; *Meuschen*, Nov. Test. ex Talm. illustr. pp. 787 sqq.; *Meyer*, De Festis, pp. 292 sqq.; *Herzog*, Real Encyclop. XI. 482—484: the arguments in favour of the antiquity of that meaning, derived from 2 Chr. XV. 10 and John V. 1, 39, are quite untenable). The firstfruit-offerings of the Greeks also, in some cases, included bread (ἀρτος θάλυσιος, or θάργγλος *Athen.* III. 80).

PHILOLOGICAL REMARKS. — To what extent, and up to what time, Pentecost was a variable feast, celebrated on different days in different years according to the state of the crops and the progress of the harvest, cannot be ascertained from our preserved documents; the positive deductions that have been ventured appear certainly artificial and inconclusive (comp. f. i. *George*, l. c. pp. 264—267, starting from the assumption that vers. 9—22 are "an earlier fragment", the true purport of which was misunderstood by later compilers and readers of the Book). It is indeed surprising that Ezekiel, in his summary of festivals (XLV. 18—25), makes no mention whatever of Pentecost; but it would be rash to conclude from this circumstance that the festival was by the prophet deemed unimportant, or that it had not been regularly kept even in the last periods of the monarchy; the prophet's summary is brief and rapid; and though very momentous in-

less offering and their drink-offerings, *as* an offering made by fire, of a sweet odour to the Lord. 19. And you shall sacrifice one kid of the goats for a sin-offering, and two lambs one year old for a thank-offering. 20. And the priest shall wave them with the bread

ferences are suggested by his statements, caution is necessary in drawing conclusions from his silence. Nor need we, after our previous observations (p. 499), remark that Pentecost, according to our text, was not meant to take place always on the first day of the week: the term *מחרת* denotes here as above (ver. 11) the morrow after the first rest-day or holy convocation of Passover; Josephus, in a passage which has been quoted in support of the former opinion, says (Ant. XIII. viii. 4), "The festival which we call Pentecost, did then fall (*ἐπέστη*) to be the next day to the Sabbath"; which implies that the festival may also fall on other days of the week. — Since the *שבת* recurs every seven days, the word took not only the meaning of week, and became a synonym of *שבוע*, as in our passage (ver. 15, *שבת שבתון*, Sept. *ἐπέτα ἑβδομάδας ὁλοκληρούς*, Vulg. *septem hebdomadas plenas*; comp. Deut. XVI. 9, *שבת שבתון*; ver. 16 *שבת שבתון*, Sept. *τῆς ἑσχάτης ἑβδομάδος*, Vulg. *hebdomadae septimae*, Onk. and Jon. *שבת שבתון*, etc.; comp. *Talm. Nazir* 6^b; *Ideler*, Chronol. I. 481), and like *σάββατον* in the New Testament (Matth. XXVIII. 1; Luke XVIII. 12; Mark XVI. 9; etc.), but it was also applied to any heptad of periods of time, as of years, *e. g.* *שבע שבתות* seven heptads of years, *i. e.* forty-nine years (XXV. 8; Sept. *ἐπέτα ἑβδομάδας ἑτῶν*, Vulg. *septem hebdomadas annorum*, Germ. *sieben Jahrwochen*). — In *ל* (ver. 16) the preposition *ל* from is prop-

erly superfluous, and seems incompatible with *quantil*; but *ל* which occurs immediately before was taken as one notion — "the following day": double prepositions, occasionally very divergent in meaning, are not rarely joined with the same noun (Gramm. §. 69. 2). — The Hebrews were commanded, "You shall bring two wave loaves out of your dwellings" (*למנוחתיך*, ver. 17), that is, you, the people, shall bring, from your own property and produce, "loaves baked for the daily food of the household, not loaves purposely prepared for holy use" (*Kcil*, Lev. p. 138, Arch. §. 83): the word *למנוחתיך* may seem unnecessary; but it certainly does not warrant us to suppose that *every Israelite* had to offer two such loaves (so some Karaites, as David ben Boaz — see *Fürst*, *Karäerthum*, I. 95 —, Calvin, and some modern critics, as *Graf*, l. c. p. 38); for if so, every Israelite would also have been obliged to present from his own means two lambs (ver. 20), which is an impossible assumption, as the command could not have arbitrarily been restricted to the "prosperous" among the people. Josephus also (Ant. III. x. 6) speaks only of one public offering; but he strangely mentions *one* loaf (*ἄρτον*). According to the Rabbins, the word intimates that the oblation was only to commence after the subjection of the Holy Land, and was not to be presented elsewhere. — The *ו* in *וּלְ* (ver. 17) has in the Masoretic text a dot which is probably not dagesh forte, but map-pik (see Gramm. Part II. § vi). —

of the firstfruits *for* a wave-offering before the Lord, with the two lambs; they shall be holy to the Lord for the priest 21. And you shall proclaim on the selfsame day, it shall be a holy convocation to you; you shall do no servile work *therein*; *it shall be* a statute for ever in all your dwellings throughout your generations. — 22. And when you reap the harvest of your land, thou shalt not wholly cut the corners of thy field when thou reapest; nor shalt thou gather the gleanings of thy harvest; thou shalt leave them for the poor and for the stranger: I *am* the Lord your God.

23. And the Lord spoke to Moses, saying, 24. Speak

לֶחֶם לֶחֶם (ver. 18) is *together with the bread*, not "on account of the bread, or owing to the bread" (Rashi; see p. 415). — Knobel (Levit. pp. 547, 548) and some others (as *Vaihinger* in Herz. Real-Encycl. XI. 480, 481), consider the words from לֶחֶם (ver. 18) to לֶחֶם (ver. 19) as an interpolation of the Jehovist who, finding the statement in one of his documents, is supposed to have inserted it here as strictly belonging to the wave-loaves, in order to remove the contradiction with Num. XXVIII. 27: but that scholar ascribes our chapter essentially to the old Elohist; and his criticisms start therefore from unfounded premises (comp. also *Bachmann* l. c. pp. 119, 120). Some Jewish expositors curiously maintained, that the officiating priests were free to offer the sacrifices either as prescribed in Leviticus or in Numbers (comp. *Ebn Ezra* on ver. 17). — לֶחֶם (ver. 21), used absolutely, means to proclaim a *fast* or convocation (comp. vers. 2, 37).

22. A special precept of charity is hardly expected in a survey of annual festivals; it would the less have been missed in this place, as it occurs before in almost identical terms (XIX. 9); but our compiler deemed

the law of the harvest feast a welcome opportunity for inculcating once more kindness to the poor in the season of reaping; he, therefore, repeated the former injunction, but judiciously omitted that part of it which relates to the ingathering of fruit (XIX. 10).

PHILOLOGICAL REMARKS. — The efforts made to prove that this verse stands here appropriately, have not been successful (comp. f. i. *Bachmann*, l. c. p. 115; see also *Rashi* in loc.). The wording of the command in this passage is easier, and seems therefore of later date, than in the previous chapter: the anallage of the plural לֶחֶם and the singular לֶחֶם is indeed reproduced, but instead of לֶחֶם . . . לֶחֶם לֶחֶם we have here the more regular construction לֶחֶם.

23—32. The chronological arrangement observed by our author now brings him to two new festivals, which are only mentioned in Leviticus and Numbers, and which, unlike the former annual celebrations, have no reference to the produce of the soil, but, in harmony with the people's advanced culture, relate to the Divine government of human destinies and to man's aspirations after purity and peace of mind.

to the children of Israel, saying, In the seventh month on the first *day* of the month, shall you have a day of rest, a memorial of blowing of trumpets, a holy convocation. 25. You shall do no servile work *therein*; and you shall offer an offering made by fire to the Lord.

26. And the Lord spoke to Moses, saying, 27. Also on the tenth *day* of this seventh month *there shall be* the Day of Atonement; it shall be a holy convocation to you; and you shall afflict yourselves, and offer an offering made by fire to the Lord. 28. And you shall do no work on that same day; for it *is* a day of atonement for you before the Lord your God. 29. For who-

This is the import of those two new festivals — the Day of blowing the Trumpet (שְׂמִינִי עֵרָא) and the Day of Atonement (יִוֵּם כִּפּוּרִים): the former was instituted when, after the exile, the Jews, adopting the custom of east-Asiatic nations, began the year, not as before, at the vernal, but at the autumnal equinox, and were anxious to mark its commencement by some solemn ceremonial calculated to prove how deeply they felt that their prosperity and happiness depended entirely on God's power and mercy; and the latter was introduced when that growing consciousness of human guilt and that yearning for expiation, which led to the development of the sin-offerings and the establishment of the office of High-priest, prompted them to set apart periodically seasons for penitence and self-castigation. Ezekiel, in his ideal reorganisation of the theocracy, ordained impressive ceremonials for the first day of the year, to be repeated on the seventh day, and designed "to cleanse the Sanctuary" and "all who have sinned from error or simplicity". But his proposals did not prevail; for after his time the first day of the year was no longer in the first month Abib, but

in the seventh month called Tishri; it was deemed expedient to associate with the holiest festival of the year another significant number, and hence the *tenth* day of the month was fixed for the Day of Atonement; and then the suggestions of Ezekiel were deemed far too simple; not only were the sacrifices multiplied, but an imposing ritual was devised, which combined nearly all the symbols that had gradually been worked out, which, however, borrowed from the Persians, under whose rule the Jews were then living, the mythological element of the sin-laden goat sent to Azazel, a chief of demons. This was not accomplished before the latter part of the fifth century. Such, in brief outline, were the nature and origin of the two spiritual festivals of the Hebrews, which have been more fully described in a treatise devoted to the subject (pp. 266—282).

Though the trumpets were sounded on all solemn days (p. 489), the New-year's day was more particularly to be a "Day of blowing the Trumpet" or "a Memorial of blowing the Trumpet" (שְׂמִינִי עֵרָא). Parallel passages render this term more intelligible: the blasts of the instruments sounded

soever *if he* that shall not afflict himself on that same day, he shall be cut off from among his people. 30. And whosoever *if he* that does any work on that same day, him will I destroy from among his people. 31. You shall

on the festivals while the burnt and the thank-offerings were being presented, were promised to be "to the Israelites for a memorial before God"; or more distinctly still, when they marched against the enemy, those sounds were to "cause the Hebrews to be remembered before God", who would grant them victory (Num. X. 9, 10). Thus on the day when they naturally looked with anxiety into the uncertain future, the loud notes, probably more frequent and more awe-inspiring than on other festivals, were meant to rouse God's mercy in their favour, who would remember His people and grant them His blessing and protection in the coming year. Those who deem this conception too rude for so advanced an age, should bear in mind, that it was familiar to the Hebrews from early times, and was repeatedly applied by their religious legislators. On two onyx-stones upon the shoulder-pieces of the High-priest's ephod, the names of the twelve tribes of Israel were engraven; the stones were called "stones of memorial" (זִכְרוֹן, זִכָּרוֹן), and the High-priest was thus "to bear the names of the children of Israel before the Lord upon his two shoulders for a memorial" (זִכְרוֹן, Exod. XXVIII. 12). In the same manner, he was to carry their names "upon the Breast-plate of decision upon his heart, when he went into the Sanctuary, for a memorial (זִכְרוֹן) before the Lord continually" (Exod. XXVIII. 29). When the census was taken, every Israelite had to give half a shekel, which contribution was applied for the service of the Tabernacle, "that it might

be a memorial to the children of Israel before the Lord, to make an atonement for their souls" (Exod. XXX. 16). After the successful war against the Midianites in the time of the wanderings, Moses and Eleazar brought portions of the spoil as an offering into the Tabernacle "for a memorial" (זִכְרוֹן) for the children of Israel before the Lord" (Num. XXXI. 54). On the other hand, the widow of Zarephath, alarmed at the dangerous illness of her son, said to the prophet Elijah, "Art thou come to me to call my sin to remembrance?" (זִכְרוֹן אִשְׁתִּי, 1 Ki. XVII. 18); for she believed that his presence had directed God's closer attention upon her house. Such simple notions gave also rise to the holy Shew-bread, that is properly, "Bread of the Countenance" (לֶחֶם הַפָּנִים): twelve cakes were placed "before the Lord" (לִפְנֵי ה') to serve as a memorial for the tribes of Israel when they offered up to Him their prayers for their daily sustenance; and in nearly all cereal oblations, the incense, together with a handful of flour mingled with oil, was burnt upon the altar as a "memorial" (זִכְרוֹן). However, these and similar arrangements were in the course of time understood in a more refined or more spiritual sense (comp. Comm. on Lev. I. pp. 206, 226, 484). With regard to New-year, Philo observes that the trumpets were blown "in commemoration of the marvellous revelation of the Law, when a voice of the trumpet sounded from heaven, which it is natural to suppose reached to the very extremities of the universe"; and, besides,

do no manner of work: *it shall be* a statute for ever throughout your generations in all your dwellings. 32. *It shall be* to you a Sabbath of rest, and you shall afflict yourselves: on the ninth *day* of the month, in the even-

"the trumpet being the proper instrument of war, it was blown in order to show gratitude to God, the Giver of peace and plenty and prosperity" (*Philo*, De Septenar. c. 22). The Synagogue, carrying out the Biblical commands as much as feasible, has retained the rite: on the New-year, except when it falls on a Sabbath, a number of different sounds (called טְּקָא the long sustained, טְּקָאֵי the broken, and טְּקָאֵי the tremulous blast), is given forth with a *shofar* (שׁוֹפָר), the curved horn of the ram, in remembrance, it is said, of the ram which was sacrificed instead of Isaac. In the time of the Temple, the mouth-piece was set in gold; and while the *shofar* sounded prolonged blasts, two trumpets gave forth short and shrill tones; but on the other festivals two *shofars* sounded short, and two trumpets prolonged notes. On all these points, on the time and mode of blowing, and on the persons qualified for the task, the Talmud and the Rabbins give ample instructions (comp. *Nishn*. Rosh Hash. III. 2—7; IV. 1, 2, 8, 9; *Maimon*. Hilch. Shofar c. 1; *Orach Chayim* §§ 585—590; see also *Hieron*. ad Hos. V. 8: "Buccina pastoralis est et cornu recurvo efficitur, inde et proprie hebraice *sophar*, graece *κασπίον*, appellatur"; *Lund*. Jüd. Heiligthümer, Book V, c. 17, pp. 1157 *sqq.*).—Ezekiel appoints for the first day of the year only one young bullock as a sin-offering; but the levitical legislator commanded, as special sacrifices, no less than ten animals — for a holocaust a young bullock, a ram, and seven lambs; and for a sin-offering a kid

of the goats; to these were, moreover, added the daily sacrifices and those fixed for the day of the New-moon, which raised the number of sacrificial animals to twenty-three.—Yet though the day is a holy convocation, it is no absolute rest-day; it is inferior in sanctity to the great Day of Atonement, on which the people, dismissing all worldly thoughts, pray for pardon and expiation of sins, and which they are entirely to devote to holy meditation and severe self-affliction. On these points our author insists indeed with great emphasis, and menaces with excision those who desecrate the day by any kind of work or by partaking of food; but he gives no details with respect to its public celebration; he merely enjoins, "You shall offer an offering made by fire to the Lord"; for he deemed it unnecessary to describe again that grand and complicated ceremonial so fully set forth in a preceding section (ch. XVI). To our remarks on that section we may here refer for the illustration of the rituals of the Day of Atonement (pp. 321 *sqq.*).—According to the Rabbins, all labour forbidden on Sabbath is also unlawful on the Day of Atonement; but wanton transgression of this command is in the one case punished with lapidation, in the other with excision (comp. in general *Orach Chay*. §§ 604—624). While Talmudical authorities ordered that, on the three agricultural festivals, in all countries except Palestine, two successive days of convocation should be celebrated where the Bible institutes one, on account of the uncer-

ing, from evening to evening, shall you celebrate your Sabbath.

33. And the Lord spoke to Moses, saying, 34. Speak to the children of Israel, saying, On the fifteenth day

tainty of the day of the New-moon, they decreed that even in Palestine New-year should be kept for two days; but that the Day of Atonement should everywhere be confined to the tenth day of the seventh month.

PHILOLOGICAL REMARKS. — The fact that the first month of the new calendar was the *seventh* of the old, probably rendered the introduction of the Day of Memorial more acceptable; but it is not likely that a festival should have been established without any other reason or motive than the desire of embodying the holiness of the number seven; national institutions are not solely built on abstract principles; even the Sabbatical year and the Year of jubilee were not entirely the result of such a theory; having been deemed advisable for certain practical and religious ends, they were connected with the number seven in order to enhance their significance (comp. *George*, l. c. pp. 217, 218). Nor can the Day of Memorial have been designed merely as an anniversary of the restoration of the sacrificial service in the time of Ezra (III. 6), which took place on the first day of the seventh month (so *Graf* l. c. p. 41); though that event may have materially helped to secure the recognition of the Day (see *supra* p. 271). Philo (De Septen. cc. 2, 22) calls it aptly αἱ ἡγῶν ἑορτῇ or ἑορταγία, the holy New-moon or the New-moon αἱ ἑορταί; but neither he nor Josephus describes the New-year and the Day of Atonement as days of judgment. — פָּקֹד (ver. 27) seems merely to introduce a new subject with some distinctness

or emphasis (comp. ver. 39); the Sept. translates the word by *καί*; the Vulgate omits it here, but renders *ergo* in ver. 39; the Engl. Vers. has also; De Wette, perhaps too strongly, *ja*; and Gesenius prorsus *hoc die, eo statim die* (see on ver. 39). "Wherever the words פָּקֹד or פָּקְדָה occur in the Law", observes Rashi, "they are meant to intimate that forgiveness is granted to those who repent, but not to those who do not repent". — The phrase פָּקְדָה to fast, for the older פָּקֹד, is peculiar to compositions of the Babylonian and later periods (vers. 27, 29, 32; XVI. 29, 31; Num. XXIX, 7; XXX. 14; Isai. LVIII. 3, 5; comp. Ezra VIII. 21 פָּקְדָה; Ps. XXXV. 13, פָּקְדָה בָּרֹאשׁ). — The two terms "he shall be cut off (פָּקְדָה) from his people" and "I will destroy (אֶמְחֶה) him from among his people" (vers. 29, 30), seem to be synonymous; which explains the often menaced punishment of פָּקְדָה or excision (comp. *Rashi* and *Ebn Ezra* in loc.). — פָּקְדָה פָּקְדָה (ver. 32) is to keep rest, to celebrate a rest-day (comp. XXV. 2; also XXVI. 34; comp. פָּקְדָה to keep a fast; see Gramm. § 102. 7); and therefore פָּקְדָה פָּקְדָה you shall keep the rest-day that has been enjoined upon you.

33—36. The storing up of the various fruits, the pride and wealth of Palestine's soil, was for the habitants an occasion of even greater gladness and gratitude than the increase of their flocks and the reaping of their corn; for to the necessities of life it added its comforts and luxuries. It gave, therefore, rise to a third festival, "the Feast of Ingathering" (פָּקְדָה), at which the

of this seventh month *shall be* the Feast of Tabernacles *for* seven days to the Lord. 35. On the first day *shall be* a holy convocation; you shall do no servile work *therein*. 36. Seven days you shall offer an offering made

people might all the more give themselves up to merriment and rejoicings, as it took place "at the revolution" or "the end" of the agricultural year, when they had brought in all their produce and were free from care and anxiety. It became, therefore, soon the chief festival of mirthful recreation; the families repaired to the common Sanctuary, joyously presented their "gifts, and all their vows, and all their free-will offerings", and shared their abundance with the less prosperous (comp. Judg. IX. 27; XXI. 19, 21; 1 Sam. I. 3, 21; Isai. XXX. 29). And the septennial recital of the Law could not have taken place at a more appropriate time (Deut. XXXI. 10; comp. Neh. VIII. 18).

As at first neither public nor private ceremonials were prescribed for the festival — no offering of first-fruits and no characteristic sacrifice — the time of its commencement was probably not fixed; it was sufficient to command, that it should be celebrated "at the end of the year" when "the corn and the wine have been gathered in" (see *supra*, pp. 273, 275). One point, however, seems to have been adhered to, namely that, like Passover, it should begin with the full moon, or on the evening of the fourteenth day of the month (comp. 2 Chr. VII. 9—11). Many other ancient nations also paid homage to the second great luminary by keeping their festivities when it is in its full splendour; thus the Egyptians, and many northern and western tribes, offered to some of their chief deities sacrifices accompanied by games and dances; the Ro-

mans considered the full moon holy; others regarded it as auspicious; the Spartans, following the injunctions of Lycurgus, would not set out on a military expedition at any other time; the Olympic games always began on the day following the first full-moon after the summer solstice; the old Germans held their public assemblies either on the day of the new or the full moon; and others kept a fast on both days (comp. *Herod.* II. 47; VI. 106, 120; *Pind.* Olymp. III. 35, 36; *Plut.* De Is. 8; *Quaest. Rom.* 24; *Strab.* III. iv. 16; *Pausan.* I. xxviii. 4; *Ael.* Nat. An. X. 16; *Lucian.* De Astrol. 25; *Tacit.* Germ. 11; *Ps.* LXXXI. 4; *Philo.* De Septen. cc. 10, 24, ἵνα μὴ μεθ' ἡμέραν μόνον, ἀλλὰ καὶ νόκτωρ πλήρης ὁ κόσμος ᾗ τοῦ παγκά-λου φωτός κτλ.; *Knob.* Exod. p. 102; *Lev.* p. 532; *Ewald.* Alterth. p. 355).

As regards the *month*, the custom wavered between the seventh and the eighth of the year, corresponding generally with our September and October; and this fluctuation was natural, as the various kinds of fruit ripen in Palestine earlier or later in different years and in different districts, the grapes and olives hardly ever earlier than in the first part of September, the pomegranates and dates hardly ever later than in the second part of October. Therefore, when Jeroboam desired to bind his new subjects more closely to his rule, we are told that "he ordained a feast in the eighth month, on the fifteenth day of the month, like the feast that is in Judah (כִּדְּמִיּוֹת אֲשֶׁר בַּיְהוּדָה), and he offered upon the altar" (1 Ki. XII. 32). It is not to the purpose to urge that

by fire to the Lord; on the eighth day shall be a holy convocation to you, and you shall offer an offering made

the ingathering of the fruits is finished later in the northern provinces, since it varies in the southern parts also: if Jeroboam wished to gain his object, his policy must have been to retain in his kingdom as much as possible the institutions to which the people had been accustomed under his predecessors; he would certainly not have chosen for the most popular festival the eighth month, if it had invariably taken place in the seventh (comp. 1 Ki. VIII. 2). However, when after the exile the seventh month became the beginning of the year, and was hallowed by such solemn celebrations as the Day of blowing the Trumpet and the Day of Atonement, it was permanently chosen for the Feast of Ingathering also (vers. 34, 39; Num. XXIX. 12); it became the festive, and because it was the seventh, the holy month; and there was not even a "second Tabernacle" permitted in analogy to the "second Passover", to be kept a month after its regular date (p. 494).

Similar fluctuations are traceable in the *duration* of the festival. The Deuteronomist (XVI. 13, 15), the first legislator who states a time, prescribes that it should be observed *seven* days, like Passover. Thus Solomon also, when he consecrated the Temple, according to the older account in the Books of Kings (2 Ki. VIII. 65), solemnised the festival *seven* days, and on the next day the people returned to their homes. But in the Persian period, when the calendar was arranged on clear and definite principles, it was deemed advisable to mark the conclusion of the year's festivals by a separate day not indeed invested with quite the

same solemnity as the festive week, yet to be kept as a rest-day and a holy convocation; thus in our section of Leviticus, an *eighth* day is ordained as the termination both of the Feast of Ingathering and of the festive cycle of the year (ver. 36); and it was observed as a binding ordinance (תקנה) in the time of Nehemiah (comp. Num. XXIX. 35—38; Neh. VIII. 18; Ezra III. 4; 2 Macc. X. 6). Therefore the later Chronist states that Solomon, on the memorable occasion referred to, dismissed the people on the twenty-third day of the seventh month, that is, on the *ninth* day after the beginning of the festival; and the historian thus represents the eighth day, or the supplement of the Feast, which was kept in his own time, as having already been celebrated in the age of Solomon (comp. 2 Chr. VII. 10, 11; see Philol. Rem.).

When the festival, which in the mean time had taken the name of Feast of Tabernacles (חג סוכות), was thus fixed and developed, it was above all others distinguished by sacrifices so numerous and so liberal that its importance and joyful character were strikingly apparent; in the eight days were presented no less than 71 bullocks, 15 rams, 105 lambs, and 8 kids of the goats, or together 199 animals, besides the daily holocausts and those for the incidental Sabbath or Sabbaths: the spirit of a later time is manifest in the systematic distribution of the sacrifices; for while the number of the rams, the lambs, and of the kids of the goats remain the same on each of the seven principal days, the number of the bullocks decreases by one each

by fire to the Lord; it *is* a solemn assembly, *and* you shall do no servile work *therein*.

day, from thirteen to seven; and to show the inferior sanctity of the eighth day, and as a proof of its subsequent introduction, it received only a sacrifice of ten animals, while even the seventh day was honoured with twenty-four victims. Compared with these directions, how simple are those of Ezekiel, who merely prescribes, for each day of Tabernacles alike, a holocaust of seven bullocks and seven rams, and a sin-offering of one kid of the goats (Ezek. XLV. 25) — a sufficient proof that, before the exile, the ritual of the festival was not finally settled.

PHILOLOGICAL REMARKS. — Of the two statements above referred to, from which a change in the duration of Tabernacles may be deduced (1 Ki. VIII. 65 and 2 Chr. VII. 9), that of the Chronist is more intelligible and more probable; he simply remarks, "On the eighth day they made a solemn assembly; for they kept the dedication of the altar seven days, and the Feast (פֶּסַח) seven days"; but in the first Book of Kings we read that Solomon "held the Feast (פֶּסַח) seven days and seven days, fourteen days; on the eighth day he sent the people away": which is so illogical that the words "and seven days, fourteen days" appear like an interpolation founded on the parallel passage of the Chronicles (see *supra* p. 272 note 3; comp. *George* l.c. pp. 155—158; *Graf*, l. c. p. 39). — Maimonides (Mor. Nev. III. 43) curiously suggests that the eighth day was appointed in order to enable the Hebrews to complete those rejoicings for which small booths are insufficient, and which require spacious dwellings and large edifices. — פֶּסַח (ver. 36; Num.

XXIX. 35; Neh. VIII. 18; 2 Chr. VII. 9; from פֶּסַח in the sense of bringing together or gathering), employed in reference to the seventh day of Passover also (Deut. XVI. 8, Cod. Sam. פֶּסַח אֶחָד, is *assembly* (Jer. IX. 1, Sept. σύνοδος), festive or religious *meeting* (Sept. in Am. V. 21 πανήγυρις; Onk. פֶּסַח which is *assembly*, as *Targ.* Esth. II. 3, 8, Syr. כְּנָסָא, Ar. Erp. كَنَسَ, Vulg. here coetus atque collectae, Luth. Versammlung, Engl. *Vers. solemn assembly*; comp. 2 Ki. X. 20; Isai. I. 13; Joel I. 14; and Arab. مُعْجَلَة "assembly" for the weekly holiday, or Friday); though we might well be induced to take the word as *conclusion* (from פֶּסַח in the meaning of shutting up, Sept. ἐξόδοις), and so it was indeed in later times applied to Pentecost as the conclusion of Passover (p. 500; comp. *Jos. Ant.* III. x. 6, Ἀσπερθὰ . . . σημαίνει δὲ τοῦτο Πεντηκοστήν; Onk. Num. XXVIII. 26; *Mishn.* Rosh Hash. I. 2; Moed Kat. III. 6; Chag. II. 4; *Talm. Jer.* Pesach. X, fol. 37^b ed. Krotesch. פֶּסַח אֶחָד until Pentecost). The meanings of "keeping or detaining in the Sanctuary another day" (Saadiah, Rashi, a.o.), and of "abstention from labour and worldly occupation" (Ebn Ezra, Rashb., Kimchi, Michael., and partially Knobel), are out of the question.

37, 38. That these verses probably formed the original termination of the laws on the five *annual* festivals (vers. 4—36), and that they were by the compiler of this chapter made to comprise the Sabbath likewise, although they expressly exclude it (ver. 38), has above been explained (on vers. 1, 2).

PHILOLOGICAL REMARKS. — The term פֶּסַח embraces here, as it frequently

37. These *are* the festivals of the Lord which you shall proclaim *to be* holy convocations, to offer an offering made by fire to the Lord, burnt-offering and bloodless offering, sacrifice and drink-offerings, every thing upon its day. 38. Besides the Sabbaths of the Lord, and besides your gifts, and besides all your vows, and besides all your free-will offerings, which you give to the Lord.

39. Also on the fifteenth day of the seventh month, when you gather in the fruit of the land, you shall

does, the two later classes of animal sacrifice, the thank- and the sin-offerings, the older holocausts (לֶחֶם) being named separately (see Comm. on Lev. I. p. 74 note 6). — דְּבַר יוֹמָם, literally, "the thing of every day on its day", that is, every thing as it has been appointed for each day (see notes on Exod. V. 13). — The מִנְחָה holy gifts not intended for the altar, include especially the firstlings and tithes set apart for the priests (comp. Num. XVIII. 11, 29).

39—43. The "Feast of Ingathering" (חַג הַקָּצִיר) became gradually a "Feast of Tabernacles" (חַג הַסֻּכּוֹת), because fruit-gatherers and vinedressers, leaving their towns and villages, lived for the time, as many still live, in booths near their orchards and vineyards; and probably also because the multitude of pilgrims, larger than at any other season of the year, who flocked to the holy towns, to Shiloh, Bethel, and Gilgal, and later to Jerusalem, could not possibly be lodged in the houses, and stayed during the festive week in temporary huts or tents (comp. Hos. XII. 10). These two circumstances, incidental to the ordinary life of the people, very naturally gave rise to a custom, which imparted to the festival a distinctive character. Yet a similar usage was not unknown to other nations: the Syrians celebrated every three years

in honour of the gods of wine and love, a merry "booth-festival" (ἐμπορὴ εὐφροσύνης); from remote times the Hindoos have kept, in the later part of the summer, a feast of nine days, during which they erect before the temples and in the streets tents from canvas and the branches of trees; and in the Roman festival of Anna Perenna, on the Ides of March, "leafy bowers" (frondeae casae), and somewhat later, in the rites of the ambarvalia, or purification of the fields, "huts made of twigs" (virgae) formed a prominent feature. Nor is it impossible that the feast of *Sakea* (ἡ τῶν Σαχαίων ἐμπορὴ or τὰ Σαχαῖα) celebrated by the Babylonians and Persians, in honour of Anitis and other deities, with rites similar to those of the Roman Saturnalia, helped to render popular the Jewish *Succoth* (סֻכּוֹת), just as the Persian festival of *Pur* influenced the character of the Jewish *Purim*, if it did not give rise to it (comp. *Ovid*, *Fast.* III. 523—528; *Tib.* II. i. 24; *Athen.* XIV. 44; *Strab.* XI. viii. 5; comp. also *Athen.* IV. 19, describing the nine days' festival of the *χάρπυια*, at which the Spartans, in commemoration of their old camp life dwelt in pavilions — *οὐαῖδες* — and tents; *Movers*, *Phoeniz.* I. 480 sqq.; *Knob.* *Lev.* p. 551). Certain it is, that the custom was, in the time after the exile con-

keep the Feast of the Lord seven days: on the first day *shall be* a Sabbath, and on the eighth day *shall be* a Sabbath. 40. And you shall take for yourselves on

sidered an essential part of the religious celebration of the Feast. For we read in Nehemiah (VIII. 13—18), that during his first governorship, the chiefs of the people and the priests, applying to Ezra for instruction, "found it written in the Law which God had commanded by Moses, that the children of Israel should dwell in booths on the Feast in the seventh month; and that they should publish and proclaim in all their cities and in Jerusalem, saying, Go forth to the mount, and fetch olive-branches (עֵצֵי זַיִת), and branches of the wild olive tree (עֵצֵי זַיִת חֲדָשׁ), and myrtle branches (עֵצֵי מֵרְיָא), and palm branches (עֵצֵי תְּמָר), and branches of thick-leaved trees (עֵצֵי עֵץ חֲדָשׁ), to make booths as it is written" (נִבְנוּ). We are then told that the people did as they had been directed, and that they kept the Feast for seven days, concluding with a solemn assembly on the eighth day "according to the law" (כַּחֲצִוְתָא); and the historian adds that "since the days of Joshua, the son of Nun, to that day had not the children of Israel done so". Yet in the Pentateuch we find no injunctions precisely like those referred to in the Book of Nehemiah. Those approaching nearest to them are the commands of our section (ver. 40): "And you shall take for yourselves (וְקִיַּחְתֶּם) on the first day the fruit of a beautiful tree (פֵּרוֹת עֵץ חֲדָשׁ), branches of palm-trees (עֵצֵי תְּמָר), and the boughs of thick-leaved trees (עֵצֵי עֵץ חֲדָשׁ), and willows of the brook (עֵצֵי נָחַל); and you shall rejoice before the Lord your God seven days". It is unnecessary to point out the differences in the two pas-

sages (comp. p. 275 note 15); it is even doubtful whether the objects mentioned were in both cases intended to serve the same purpose; that they were meant, in Nehemiah, for the construction and adornment of booths, is unquestionable; but is this equally clear with respect to our verse? This neither mentions booths, nor is it connected with the command regarding them (vers. 42, 43); for it prescribes, "You shall take to yourselves" the boughs and the fruit, and "rejoice before the Lord", as if the Hebrews were to use those objects as religious symbols forming part of their holiday service. As such they were certainly understood by the later Jews, except the Sadducees (comp. *Ebn Ezra* in loc.). In the time of the Maccabees already we hear that "the people bore (ἔχοντες) on the Feast of Tabernacles branches (θύσους) and fair boughs (κλάδους), and also palms (φοίνικας), and sang hymns in praise of God" (2 Macc. X. 7). Josephus, describing the practice of the second Temple, states that, while the sacrifices were being offered, "every one of the worshippers carried in his hands (φέροντες ἐν ταῖς χερσίν) a branch of myrtle and willows joined to a bough of the palm tree, with the addition of a pome-citron" (Ant. III. x. 4; XIII. xiii. 5); and in exact agreement with this description are the Talmudical regulations with respect to the *lulav* (לולב) — a fresh palm branch, not less than a hand-breadth long, together with willows and myrtle-twigs, to be held during prayers in the right hand, while the *etrog* (עֵטְרוֹג), that is, a citron or orange, is held in the

the first day of the fruit of a beautiful tree, branches of palm-trees, and the bough of a thick-leaved tree, and willows of the brook; and you shall rejoice before

left (comp. *Mishn. Succ.* III. 4, etc.; *Maimon. Hilch. Lulav*, cc. 7, 8; *Orach Chay.* §§. 645—658). It can hardly be doubted that our law must be taken in this sense; and the custom was meant by the thoughtful author to typify the wealth and the beauty of nature, which man, by God's grace and mercy, is permitted to enjoy: in harmony with the festive cheerfulness of the season, he mentions "the fruit of the beautiful tree" first; the palm-tree, of which the present Arabs ingeniously enumerate as many uses as there are days in the year, is to the Eastern mind the most perfect emblem of sustenance and comfort (see Comm. on Exod. pp. 282, 283); the willows of the brook recall the delightful banks of rivers and rills with all their freshness and coolness; and the "thick-leaved trees" are themselves products of rich and luxuriant growth (see Philol. Rem.). Nor is it difficult to explain how, in the Persian period, such a custom could arise among the Jews. For it is well known that the Persians "during their sacred songs held bundles of tamarisk twigs in their hands", the so-called holy *barsom* (*bareçma*), in imitation of which the Hebrews also "put the branch to their nose" (*Ezek.* VIII. 17); and we need scarcely refer to the olive branch (*ελεσσιδών*)—covered with all kinds of first-fruits, which the Greeks carried during their autumnal festivities of the *Pyanepseia*; or to the waving of the ivy- and vine-wreathed thyrsus in the processions of Bacchus, as the devotees of whom the Jews were indeed represented, especially on account of the analogous custom (comp. *Phil.*

Sympos. IV. vi. 2, ἐστὶ δὲ καὶ χρα-
δηροπία τις ἰσότης καὶ θυρσοφοπία
κατ' αὐτοῖς — the Jews —, ἐν ᾗ
θύρσους ἔχοντες εἰς τὸ ἱερὸν εἰσίσταν;
see *infra*; *Yafna* LVI. 2; *Spiegel*,
Avesta, II. 178; *Suidas* sub *ελεσσιδών*;
Comm. on Levit. I. p. 362). We
must, therefore, suppose that the
latest revisers of the Hebrew Scrip-
tures, in order to veil the discrepancy
between our command and the nar-
rative in Nehemiah, added in the
latter passage "as it is written"
(כַּכְּתוּב), as if desirous to make it ap-
pear that both accounts essentially
agree — an expedient to which they
resorted to remove another and a si-
milar difficulty (*supra* p. 493: in
2 Chron. XXXV. 13 ἔφαγον ἅρως is in-
tended to signify *they roasted* the
Pesach, so as to be in harmony with
the command that it should be
ἐφ' ἄρως).

For many centuries, the chief
festival of the year related merely
to agriculture, and especially to the
produce of vineyards and fruit-
trees; but with this meaning the
advanced culture of the nation could
not rest satisfied; and the next step
was to attribute to the Feast a
historical significance. The usage
which had become common of dwell-
ing in booths, offered a welcome
suggestion; and the people were now
ordered, as a religious obligation, to
live in booths (סֻכּוֹת) during the seven
days of the festival, that "their gene-
rations might know that God caused
the children of Israel to dwell in
booths when He brought them out
of the land of Egypt" (ver. 43). At
the time when their store-houses and
granaries were filled with every

the Lord your God seven days. 41. And you shall keep it *as* a Feast to the Lord seven days in the year: *it shall be* a statute for ever in your generations; you

wealth and blessing, they were to leave their convenient abodes, and stay in fragile huts, reflecting on the perils and the precarious existence of their forefathers in the desert, lest anyone in the pride of his heart should imagine, "My own strength and the power of my hand have acquired for me this abundance" (see *Rashbam* on ver. 43; comp. Deut. VIII. 10—18); or, as Philo explains (De Septen. c. 24), they were to be taught "equality, the first principle and beginning of justice", since all alike were for a time to dwell in slight and frail habitations. But this view was only taken at a very advanced period, and was carried out somewhat timidly. We find it mentioned and acted upon for the first time during the rule of Nehemiah; while it was raised into a permanent law by the latest levitical legislators. Yet even these imposed the duty of passing the Feast in booths upon native Hebrews only (לְבָנֵי יִשְׂרָאֵל, ver. 42), and not upon strangers. In both respects a strong contrast is manifest with the unleavened cakes of Passover, which were historically associated with the Egyptian redemption at a comparatively remote time, and which were rendered obligatory on the stranger and the Hebrew alike under the punishment of excision. However, Tabernacles became now even more decidedly than before the festival (חַג); it was simply "the Festival of the Lord" (חַג ה' , ver. 39; 1 Ki. VIII. 2, 65; XII. 82, 83; Ezek. XLV. 25; Zech. XIV. 16, 18, 19; Neh. VIII. 14; 2 Chron. V. 3; VII. 8, 9.

Later Judaism advanced another stage. Rightly judging that the

reason assigned in our passage for the booths centres in the idea of Divine providence and government, the Rabbins brought Tabernacles into connection with the two earlier celebrations of the seventh month; and working out a peculiar theory they maintained, that on the three successive festivals the destinies of men were, respectively, written down sealed, and finally ratified. Then the Feast of Tabernacles comprised every important element — the natural, the historical, and the spiritual; it was accordingly solemnised with a spirit, a splendour, and an exuberant merriment, that far eclipsed all other festive seasons; and a proverb passed current that "he who has not seen the joy of the libations of Tabernacles (שְׂמֵחַ בֵּית הַשִּׁמְשׁוּת), has never in his life witnessed joy" (comp. *Mishn. Succ.* IV. 9 — V. 4). In conclusion we may quote the curious account which Plutarch gives of our festival, and which proves again in what distorted forms information on Jewish institutions reached even the best of heathen writers: "The greatest and holiest festival of the Jews corresponds, both in the time and mode of celebration, with the attributes of Bacchus. For after the so-called fast (ῥηγισμός), when the vintage is at its height, they place in tents and huts, mostly consisting of ivy and vine leaves, tables covered with summer fruit of every kind; and indeed they call the day before the festival 'Tabernacles' (σκηνοτή). A few days later, they keep another festival which really, not conjecturally, has derived its name from Bacchus. There is also among them

shall celebrate it in the seventh month. 42. You shall dwell in tabernacles seven days, all that are Israelites born shall dwell in tabernacles; 43. That your genera-

a feast called 'the bearing of fig-tree branches', and another 'the bearing of the thyrsus', on which they enter the Temple with thyrsi in their hands. What they do in the holy place, I do not know; but it is probable that they perform some Bacchic rites; for, like the Argives on the Dionysia, they use small trumpets, in order to call upon their God; they have, besides, harp-players, whom the Jews themselves call Levites, whether this name is derived from Lysius, or rather from Euius" (*Plut. Sympos. IV. vi. 2*).

PHILOLOGICAL REMARKS. — It requires no additional proof that this portion was composed without reference to the preceding commands on Tabernacles; it mentions again the time, the duration, and the most solemn days of the festival, as if these points had not been explicitly stated before; it has by the compiler of our chapter been inserted unabridged on account of the two fresh subjects it includes — the instructions on the vegetable products, and the new reason assigned for the booths; and it evidently imparts to the chapter a fragmentary character. — The particle *וּ* (ver. 39) is used when new matter is introduced (comp. *supra* ver. 27). Ebn Ezra supposes that it places the Day of Atonement in juxtaposition with Tabernacles, the one being a time of fasting, the other of feasting (with reference to Deut. XVI. 15, *שבעה ימים תאכל לחם מצות*); but another section and a general conclusion (vers. 33—38) intervene between the laws of the Day of Atonement and this conjunction *וּ*. Josephus (*Ant. III. x. 4*) supposes, without probability, that

as the Feast of Ingathering is kept "when the season of the year is changing for winter", tabernacles were to be erected as a protection against the cold: it is unnecessary to seek another reason besides the thoughtful one given in the text. — The speculations of the Rabbins and of later Jews on the meaning of "the four kinds" of products here mentioned, are numerous and often ingenious; let it suffice to give one specimen: the willow represents the plants that have neither blossom nor fruit; the myrtle those that have blossoms but no fruit; the palm those that bear fruit but have no blossoms; and the citron or orange those that have both blossom and fruit; thus, the four together call to mind vegetation in all its varied forms (comp. *Midr. Rabb. Vayikr. Sect. XXX.; Maimon. Mor. Nev. III. 43; Arama, Aked. ch. 67; etc.*). — The word *תְּבִיאָה* (ver. 39) *when you gather in*, refers to the earliest meaning of the festival as the "Feast of Ingathering" (*Exod. XXIII. 16; XXXIV. 22*), and being characteristic, it is seldom omitted (comp. Deut. XVI. 13, *תְּבִיאָה וְשִׁבְעָה יָמִים*); for though *תְּבִיאָה* is sometimes distinguished as *fruit harvest* from *תְּבִיאָה* as *vineage* (*Isai. XXXII. 10; Mic. VII. 1*), it includes a collection of any kind, and *תְּבִיאָה* is a general store-house (*1 Chr. XXVI. 15, 17*). — If the Jewish interpretation of the use of the four products be correct, that is, if these were to be *held in the hand* during prayer, the principal nouns ought to be in the singular; we might indeed so take the first, "the fruit (*תְּבִיאָה*) of a beautiful tree", and the third, "a bough of a

tions may know that I caused the children of Israel to dwell in tabernacles, when I brought them out of the land of Egypt: I *am* the Lord your God.

thick-leaved tree" (עץ עז עז), but not the two others, for עץ עז עז cannot be translated otherwise than by "branches of palm-trees", and עץ עז otherwise than by "willows of the brook". Therefore, everything considered, it appears, that the plants enumerated in the 40th verse were, in their original context, intended to be employed for the tabernacles, as in the corresponding verses in Nehemiah; but that they were inserted by our compiler in this passage so as to convey the sense attached to them by his later readers. The Rabbins explain that עז is written defectively, without ך, to intimate that one branch only is required (comp. *Rashi* in loc.); to obtain this meaning, we might rather read עז (comp. Job XV. 32); but the following plural עזים is opposed to any such acceptance. In fact, the 40th verse has every appearance of a later interpolation; for, interrupting the context, it renders especially the first עז in ver. 41 difficult and irregular, as this refers to עזים in ver. 39. — From the circumstance that עז is without the conjunction ך it has been concluded, that the words עז עז imply the general notion, which is specified by the three following plants (so *Keil* in loc.); but "branches" and "twigs" cannot be described as "fruit" (עז), as this word is not so wide in meaning. — "The fruit of the beautiful tree" (עץ עז עז) is by Jewish tradition understood as the pomecitron (comp. *Joseph. Ant.* III. x. 4, ὁ μῆλος ὁ τῆς Ἰσπετάς, which is a larger kind of citron, almost of the size of a melon, and is said to weigh sometimes thirty pounds; XIII. xiii. 5,

λίτρον; *Mishn. Succ.* III. 5—7; and *Ebn Ezra*, "there exists indeed no tree-fruit more beautiful than the citron"); but we have no means of testing the correctness of this view; and the Talmud (*Succ.* 34^b, 35^a) explains that it is "a tree the wood and fruit of which have the same taste", or one "which remains (עז) on its tree from year to year" (comp. also *Rashi*). The other ancient translations render the words literally (Sept. καρπὸν ξύλου ὀραῖον, Vulg. fructus arboris pulcherrimae, etc; comp. *Cels. Hierob.* I. 251, 252; *Dachs et Cramer, Succah*, pp. 207 sqq.; *Cleric.* in loc.). — עז עז, literally "a thick" or "thick-leaved tree" (comp. Ezek. VI. 13; XX. 28), is by tradition taken as *myrtle* (עץ), "the twigs of which are twisted like cords עזים and ropes" (*Rashi*; comp. Neh. VIII. 15; Isai. XLI. 19; LV. 13; Zech. I. 8; etc.; Onk. and Jon. עז, etc.). — עז (from עז to plait, to interweave, especially foliage and boughs) is indeed properly booth made of branches and leaves, to serve as cattle folds (Gen. XXXIII. 17), as a protection against a fierce sun (Jon. IV. 5) or showers of rain (Isai. IV. 6; comp. Ps. XXXI. 23), or to be used by persons watching in vineyards and orchards (Isai. I. 8; Job XXVII. 18); but though the word involves the notion of *frail* and *perishable* (Job XXVII. 18; Am. IX. 11), it is also applied, almost as a synonym of עז, to permanent dwellings and every habitation (Ps. XVIII. 12; Job XXXVI. 29), the tents of encamping soldiers (2 Sam. XI. 11; 1 Ki. XX. 12, 16), and the Tent of Meeting (2 Sam. I. c.). We cannot, therefore, agree with

44. And Moses told to the children of Israel the festivals of the Lord.

those who consider the reason here assigned for the booths of Tabernacles as "little appropriate" (Hupfeld, *Graf*, a. o.): the Hebrews dwelt during their journeys in *misq*, though these were perhaps more frequently made of canvas than of foliage and branches, and in the former case were more properly *misq* tents, which are frequently mentioned in the history of the Hebrew wanderings in the wilderness (comp. *Exod.* XVI. 16; XVIII. 7; XXXIII. 8, 10; *Num.* XI. 10; XVI. 26, 27; XIX. 14; XXIV. 5; *Deut.* I. 27; V. 27; XI. 6). The Talmud understands the booths figuratively as "the protecting clouds of Divine glory"

(*מגן כבוד*; comp. *Isai.* IV. 6), and extends the obligations of our law to the strangers also, supporting this view by the word *בְּיָמֵי* (ver. 42), which, it is argued, cannot refer to the same persons as the preceding *בְּיָמֵי* (comp. *Talm. Succ.* 1^b, 27, 28; *Zevach.* 37^b). — The Rabbinical regulations with regard to the *lulav* and "the four kinds" in general, and on the construction and use of the tabernacles, are very minute, and may be seen in *Mishn. Succ.* I. 1—IV. 8; *Talm. ad ll. cc.*; *Maimon. Hilch. Succah* and *Hilch. Lulav*; *Orach Chay.* §§ 625—658; and the commentaries on these authorities.

VII.
MISCELLANEOUS LAWS.
CHAPTER XXIV.

SUMMARY. — God gives to Moses instructions with regard to the lights of the Candlestick and to the Shew-bread (vers. 1,—9). — The son of an Egyptian father and a Hebrew mother publicly blasphemed the name of God. Moses ordered that the offender should be kept in custody, and he was directed by God to cause him to be stoned to death without the camp by the whole congregation (vers. 10—15). At the same time, God imparts some general commands on blasphemy, on slaying a man or a beast, and on bodily injuries inflicted upon another (vers. 16—22). — The judgment on the blasphemer was duly executed (ver. 23).

1. And the Lord spoke to Moses, saying, 2. Com-

2. When the laws on the priesthood (ch. XXI. XXII.) and on the holy seasons to be celebrated at the common Temple (ch. XXIII.) had been set forth, it was deemed appropriate to add some of the chief regulations concerning the sacerdotal service of the Sanctuary, and hence commands on the perpetual light of the Candlestick and on the perpetual Shew-bread of the golden Table were here inserted: they had indeed, at least partially, been enjoined before, when the whole Tabernacle was described, but it was held that they ought to be enforced again after the

installation of Aaron and his sons in their holy offices.

PHILOLOGICAL REMARKS. — These *may have been* the guiding principles of the final reviser of our Book; and they seem to be the most logical that can be discovered; yet they are far from satisfactory if viewed in connection with the economy of the Pentateuch. For the command on the lights of the Candlestick occurs before, in nearly identical terms, in Exodus (XXVII. 20, 21), and there is really no cogent reason why it should have been repeated; especially as it was before referred to as a

mand the children of Israel that they bring to thee pure oil of the olive beaten for the light, to put on the lamps continually. 3. Without the vail of the testimony, in the Tent of Meeting, shall Aaron arrange it

well known ordinance (Exod. XXX. 7, 8; XL. 4), and had already been acted upon by Moses at the erection of the Tabernacle (Exod. XL. 25.) In the former Book, it occupies indeed an isolated position, for it is there separated from the description of the Candlestick itself and the other implements of the Holy, and is placed between the law of the brazen Altar and of the priestly garments; but its position is no less isolated in our section, which does not attempt a systematic survey of the Temple service, but is confined to two single rites selected at random or at least without appreciable motive, since not even the daily holocausts are mentioned. If, therefore, the introduction of the two commands in this place does not illustrate the fragmentary character of the Book of Leviticus, they bespeak that of the Pentateuch: and when subsequently the execution of the command is related, the command itself is partially given in a different form (Num. VIII. 1—4; comp. IV. 7; Exod. XXV. 37). Even Bertheau states, as the result of a careful analysis, that the whole of the twenty-fourth chapter cannot originally have formed part of the collection of the Sinaitic laws (Gruppen, pp. 220—223). The perplexity of apologists is instructive. The repetition of the two ordinances, it is presumed, was occasioned "by some historical event" (*Ranke*, *Untersuchungen*, I. 109); but the Law is generally very exact in relating such historical events, whereas, in this instance, there is not the remotest allusion (comp. vers. 10—14; X. 1—7; Num. IX. 6—14;

XV. 32—36; etc.). Again, the olive-oil and the Shew-bread, it is asserted, representing the choicest productions of the Holy Land in corn and fruit, were intended to serve in the Temple as perpetual gifts of gratitude for God's unceasing mercy, just as the chief festivals were seasons of gratitude, and this constitutes the internal connection with the preceding chapter (*Ranke*, l. c. II. 110, 111): however, the principal object of the first command is not an offering of oil, but the perpetual light; and the Shew-bread does not so much symbolise gratitude as supplication (see *infra* on ver. 2—9). Another and more mystical interpreter declares that "the oil of the seven-branched Candlestick burning before the Lord represents the Israelites as the community which makes its light shine into the darkness of this world; and the Shew-bread symbolises a spiritual sacrifice which they offer to God, and which consists of the fruits of their labours in the kingdom of heaven" (*Keil*, *Comm.* in loc. p. 144; *Archaeol.* § 21 note 3): but if four commands have such typical meaning, they have little in common with the preceding laws which refer to the practical life and the atonement of the nation; the oil, however, is not meant as an emblem of the activity of the Israelites, but of watchfulness; and the Shew-bread has reference to the people's daily life and material prosperity. Jewish commentators, well aware of the anomalous position of this section, contend that it had been revealed to Moses when he received the Divine instructions concerning the sacred im-

from evening to morning before the Lord continually: *it shall be* a statute for ever to your generations.
4. He shall arrange the lamps upon the pure Candlestick before the Lord continually.

plements, but that he now only communicated it to the Israelites (comp. *Rashi* on ver. 1; see also Comm. on Lev. I. pp. XXI, notes 11 and 12).—We lay no stress on the circumstance that our chapter would more appropriately have followed after the twenty-second, which also explains the functions of the priests; by this transposition, moreover, the laws of the festivals (ch. XXIII.) would have been connected with the laws of the Sabbatical year and the Year of jubilee (ch. XXV.), which belong to the same system and are built upon the same ideas.

2—9. When the leaders of the colony returning from Babylon reorganised the commonwealth, their attention was mainly directed to the restoration of public worship; their first care was not to re-build the capital and its walls, but the Temple; and they eagerly searched the annals of the past for precedents and sanction. Therefore, they either adopted or developed anterior ordinances, and embodied them, as eternal statutes, in the Book of the Law, which was now uniformly stamped as "the Book of the Law of Moses". The directions with respect to the golden Candlestick were almost literally taken from an older Book, which had gained high authority (Exod. XXVII. 20, 21); but as regards the Shew-bread, a brief and incidental injunction previously given was more clearly defined and more fully worked out (Exod. XXV. 30; comp. XXXIX. 36; XL. 4, 23). Hence there is little to be added in explanation of the holy lamps and their service (see Comm. on Exod. p.

522); only our section points out with even greater emphasis that the light should be "perpetual" (לְנֶר, ver. 3); it demands indeed also that it should burn "from evening to morning", as was ordained in the earlier code (Exod. XXVII. 21; XXX. 7, 8), and as seems to have been the practice of the Tabernacle (comp. 1 Sam. III. 1); but it soon became customary to let at least one lamp burn during the day, not only because the priests required light to perform the fumigations, the sprinkling of the blood of sin-offerings, and other rituals, but because the golden Candlestick and its lamps were, with increasing distinctness, taken as symbols of that Divine truth and enlightenment which were to be diffused among the Hebrews, and through them among all the nations of the earth.

In reference to the Shew-bread, only these brief injunctions had previously been given, "Thou shalt put upon the Table Shew-bread (לֶחֶם פָּנֶיךָ) before Me always" (Exod. XXV. 30; XXXV. 13; XXXIX. 36); and "Thou shalt arrange on the Table the things that are to be arranged on it" (Exod. XL. 4 לֶחֶם פָּנֶיךָ אֲרָאָה; comp. ver. 23). A certain usage was indeed established in remote times; but it was vague and without significance. We learn that during the reign of Saul, in Nob, one of the priestly towns, "Shew-bread" (לֶחֶם פָּנֶיךָ) or "holy bread" (לֶחֶם קֹדֶשׁ) was, at intervals, "put before the Lord" (אֲרָאָה), taken away, and replaced by "warm bread"; that this bread was only eaten by persons being in a state of purity, though not necessarily by priests; and

5. And thou shalt take fine flour, and bake twelve cakes thereof: two tenths *of an ephah* shall be in one cake. 6. And thou shalt place them *in* two sets, six *in* a set, upon the pure Table before the Lord. 7. And

that in Solomon's Temple "the Shew-bread" was on the Table in the Holy, was also called "the continual sets" (רְצֻחַת הַלֵּחֶם) or "the sets of bread" (רְצֻחַת הַלֵּחֶם), and was by pious kings attended to with great care (comp. 1 Sam. XXI. 4—7; 1 Ki. VII. 48; 2 Chr. II. 8; IV. 19; XIII. 11; XXIX. 18; Neh. X. 34). The levitical legislator, however, deemed precise injunctions on the subject the more desirable as he hoped he might render the ritual more fruitful for religious training, and bring it in harmony with his more developed system. It cannot be doubted that the Shew-bread, like the offerings in general, which were called "the food of God" rising up to Him "for a sweet odour", primitively originated in notions similar to those which gave rise to the repasts or *lectisternia* spread out before the heathen deities; it was necessary that such gross conceptions, which took deep root among the Hebrews in spite of the exalted teaching of their prophets, should be combated and banished. Therefore, our legislator not only fixed the ceremonial in every detail, prescribing *twelve* cakes in accordance with the twelve tribes of Israel, of *two* omers of fine flour each, or double the quantity of that deemed sufficient for the daily sustenance of one person (comp. Exod. XVI. 16, 22), directing that they should be uniformly arranged in *two* rows of six, similar to the two onyx-stones on the High-priest's ephod with the names of six tribes engraven on each (*supra* p. 506), and ordering that the cakes should be regularly renewed every Sabbath, to secure for this day

increased solemnity; but he commanded the priests to add to them pure frankincense, which was to the Hebrews a well-understood symbol of prayer, and to burn it, no doubt on the Sabbath, as a fire-offering (תִּקְרָב) to God, and as "a memorial" to Him, by which He might be induced to listen to the supplications of the house of Israel. To mark the importance of the Shew-bread, the author described it, like circumcision and the Sabbath itself, as "an eternal covenant between God and Israel", between the Bestower of all material blessings and their humble recipients; and he enjoined that the loaves should not be burnt, but be eaten by the priests in the holy place. He could not have devised more effectual means of spiritualising, for the consciousness of the Hebrews, the old custom of presenting "Shew-bread" or properly "Bread placed before the countenance" of God (תִּקְרָב לְפָנָיו): he even avoided the use of this word, lest it yet mislead to anthropomorphic errors. In his time at least, ideas like the following were completely discarded: "He who gives to another bread to eat and receives him as his guest, enters with him into friendly intercourse, and makes him his ally and associate; thus the Hebrew people, by placing before God the daily bread, proved their close alliance with Him, and their devotion and fidelity" (*Kaob. Lev. p. 554*). As if to obviate such misconstructions, the author insisted, that no portion of the cakes should be burnt on the Altar. That the Shew-bread was unleavened, has been pointed out in previous obser-

thou shalt put pure frankincense upon *each* set, that it may be on the bread for a memorial, an offering made by fire to the Lord. 8. Every Sabbath he shall arrange it before the Lord continually, on behalf of the

vations which treat of the subject in its various aspects (comp. Comm. on Exod. pp. 481, 506; on Levit. I. 7—9, 226, 227). — In the second Temple, the commands here enforced were strictly adhered to; and Nehemiah is related to have imposed a tax of one third of a shekel to be applied, like the half-shekel paid at the taking of the census, for the support of the Temple service (Neh. X. 34; comp. Exod. XXX. 11—16). It is not surprising that the Chronist, writing a considerable time after the promulgation of the Pentateuch, should state that our commands were carried out even by the earlier kings (comp. 1 Chr. IX. 32; XXIII. 29).

PHILOLOGICAL REMARKS. — The Hebrews themselves were to supply the oil for the lamps and the flour for the Shew-bread, for they were to be reminded that they must take an active part in obtaining enlightenment and sustenance, and that the priests were only their mediators before God. — The Candlestick was "pure" (טָהוֹר), because it was made entirely "of pure gold" (זָהָב טָהוֹר), and the Shew-bread Table (שֻׁלְחָן), because it was overlaid with "pure gold", and had a golden wreath around (Exod. XXV. 24, 25, 31; XXXI. 8; comp. 2 Chr. XIII. 11). Jewish expositors, however, explain thus—"he shall arrange the lamps upon the *pure* Candlestick", that is, after having cleansed it and removed all cinders; and the cakes shall be "placed upon the *pure* Table", that is, upon the table itself, and the golden prongs (רָאשֵׁי) shall not raise them above its surface, hollow golden rods being

put between the cakes to allow the air to pass through, and thus to prevent them from becoming mouldy within the week (comp. *Mishn. Menach. XI. 6; Talm. Menach. 97^a; Sipkra* in loc.; *Rashi* on vers. 4, 6). — On the oil to be used, and here explicitly described as מִן הַזַּיִת הַטָּהוֹר, see Comm. on Lev. I. p. 104. — The cakes were to be put "in two dispositions" or "sets" שְׁנֵי מַעֲבָדִים (ver. 6), and hence, in later Books, the Shew-bread is also called שְׁנֵי מַעֲבָדִים (1 Chr. IX. 32; XXIII. 29; Neh. X. 34), שְׁנֵי מַעֲבָדִים (2 Chr. XIII. 11), or simply מַעֲבָדִים (2 Chr. II. 3), and the Table מַעֲבָדִים (2 Chr. XXIX. 18), although it is likewise termed מַעֲבָדִים (Num. IV. 7), that is, "the Table of the Countenance" placed before God to bear the מַעֲבָדִים (comp. *Pfeiffer, Dub. Vex. pp. 273, 274; Dryling, Observat. Sacr. II. 160—166*). In 1 Chr. XXVIII. 16 mention is made of *two* מַעֲבָדִים, which statement it is difficult to account for, since the Chronist himself speaks elsewhere of *one* such Table only (2 Chr. XXIX. 18), though he also alludes to *ten* Tables which Solomon caused to be made (2 Chr. IV. 8), corresponding to as many golden Candlesticks (1 Ki. VII. 49; comp. *Jos. Ant. VIII. iii. 7, μίαν μὲν μεγάλην χρυσέαν τράπεζαν, ἐφ' ἧς ἐτίθεσαν τοὺς ἄρτους τοῦ θυσίᾳ πλ.*; see also *Mishn. Menach. XI. 7, שני מַעֲבָדִים שֵׁנִי בַּמִּזְבֵּחַ הָיוּ מַעֲבָדִים*). — The Shew-bread was to be prepared מִן הַבֹּקֶץ מִן הַשַּׁבָּת, *every Sabbath*, for which in 1 Chr. IX. 32 מִן הַבֹּקֶץ is said, the first noun being in the construct state, on account of its close connection with the second

children of Israel *by* an everlasting covenant. 9. And it shall belong to Aaron and his sons; and they shall eat it in the holy place; for it is most holy to him of the offerings of the Lord made by fire, *by* a perpetual statute.

10. And the son of an Israelitish woman, whose

(see Gramm. §§ 75. 7^d; 87. 8^b). — It would be hazardous to assert, in opposition to direct testimonies of Jewish writers who had themselves witnessed the practice of the Temple, that the Shew-bread was leavened; nor are the arguments adduced in support of this view plausible (comp. f. i., *Knobel*, Lev. pp. 554, 555). The two new loaves of Pentecost were leavened for intelligible reasons (*supra* p. 501). No part of the Shew-bread was burnt, as has been suggested above, lest they appear as "food of God"; nor was any portion of the unleavened cakes and wafers that accompanied a praise-offering burnt on the Altar (Comm. on Lev. I. 225, 226 note 1). — Though unleavened bread was perhaps more commonly eaten by the Hebrews, leavened cakes, which keep much longer, were not unusual, and were deemed preferable for the Altar, because they were looked upon as "pure bread" (see *supra* p. 496). — The incense was not burnt on the golden Altar, but on the Table, near or upon the Shew-bread, probably in a golden bowl set apart for the purpose (comp. Comm. on Lev. I. 226 note 5); for the incense and the Shew-bread belonged inseparably together, the one typifying prayer, the other the things prayed for (comp. loc. cit. pp. 118—120); moreover, as the cakes were entirely given over to the priests, the incense formed the *תִּשְׁבָּח* or the portion devoted to God, which was indispensable in every offering, and was therefore the *תִּשְׁבָּח*, or the

means of bringing the wants and supplications of the Hebrews before God or to His remembrance (רִמְמוֹת רִצְוֹנָא בְּיָדֵי; see Comm. on Lev. I. 206, 484; *supra* p. 506; comp. *Jos. Ant.* III. x. 7; *Mishn. Menach.* XI. 4—9). — The Septuagint adds after ἀβανον καθάρων the words καὶ ἄλα; Philo also (*Vit. Mos.* III. 10) states that salt was offered with the cakes; and this was the opinion of Jewish tradition in general (comp. also *Ewald*, *Alterth.* p. 37): whether our legislator held this view, and merely refrained from mentioning salt as a matter of course (comp. II. 13, and notes in loc.), or whether he deemed salt in this instance unnecessary because nothing of the bread was burnt to God, cannot be decided; yet the opinion of the Rabbins is supported by general analogy (see Comm. on Lev. I. pp. 852, 109). — *וַיִּצַּח* (ver. 8) *he* (Aaron) *shall arrange it* (the bread *וַיִּצַּח* ver. 7, hence the suffix of the masculine, *וַיִּצַּח* and *וַיִּצַּח* being here used promiscuously; comp. Comm. on Lev. I. 104); the feminine *וַיִּצַּח* (ver. 9) has the force of a neuter *it*, or *the whole*, *shall belong*, and is yet followed by the suffix of the masculine in *וַיִּצַּח* (comp. *supra* p. 517). Rashi supplies *כִּי כָּל תְּרוּמָה* before *וַיִּצַּח*, "since any vegetable offering belongs to the class *תְּרוּמָה*".

10—23. Now follows one of those narratives which give to our Book such an appearance of reality, and impart to it so faithful a colouring of time and place. Like the narrative of the sudden death of

father *was* an Egyptian, went out among the children of Israel; and this son of the Israelitish *woman* and a man of Israel quarrelled together in the camp; 11. And the Israelitish woman's son cursed the Name *of the Lord*, and reviled *it*. And they brought him to Moses (and his mother's name *was* Shelomith, the daughter of Dibri,

Aaron's two eldest sons on account of a priestly trespass (X. 1—7), that of the blasphemer brings vividly before us the camp life of the Israelites in the desert. A Hebrew woman of the tribe of Dan, had married an Egyptian, of course when both were still in Egypt; they had a son who, it appears, like the "mixed multitude" of pagans who followed the Hebrews in their wanderings (Exod. XII. 38), lived, separated from the holy community, without the precincts of the camp. Little sympathy seems to have existed between persons in his position and the Israelites; and once when he came into their camp, it may be to visit his mother's relations, or to pitch his tent among the Danites, a quarrel arose between him and a Hebrew. In the heat of the altercation he reviled and cursed the name of God — of that God who made such marked distinctions between His own privileged people and other nations, a descendant of an Egyptian being received in the community only in the third generation (Deut. XXIII. 9, 10). Moses, informed of the offence, and uncertain how to act in the matter, ordered the man to be detained in custody. A former law had indeed forbidden, "Thou shalt not revile God" (Exod. XXII. 27); but it had not fixed the punishment in case of transgression; moreover, that law, forming a part of the "Book of the Covenant" between God and Israel, might possibly not apply to strangers and to the offspring of mixed marriages. Moses appealed,

therefore, for directions to God, who commanded that the blasphemer should be stoned to death by the whole congregation; thus the Hebrews should act in all similar cases, whether the offender was an Israelite or a stranger; and ordinances were added on some other crimes to be visited upon all alike. Then the prisoner was led to a place without the camp, and there suffered death in the manner prescribed.—It will be admitted that the narrative, though abruptly introduced, admirably portrays the scenery of the time when Moses, in constant intercommunion with God, was the central figure of the Hebrew hosts. And yet, whether it has a foundation in fact or not, it shows, in its present form, traces of a very different age. It alludes to God twice by an appellation — *שם* *the Name* (vers. 11, 16) — which became usual only at a very late time, and which was currently adopted by the Rabbins instead of the tetragrammaton that was deemed too awful to be pronounced. And the duties and obligations of Hebrews and non-Hebrews were so completely equalised as is done in this section not earlier than the re-organisation of the commonwealth in the Persian period (vers. 16, 22, see *supra* p. 435). It was then that general commands of former times were more precisely defined (see *supra*), and then the sole sovereignty of the God of Israel was insisted upon with a rigour unknown in the earlier days of multifarious idolatry.

of the tribe of Dan). 12. And they put him in ward, that he might direct them according to the command of the Lord. 13. And the Lord spoke to Moses, saying, 14. Bring forth him that has reviled without the camp; and let all that heard *him* lay their hands

The holy community was defiled by the presence of a blasphemer; all were, therefore, obliged to execute judgment upon him, both to show their detestation of the crime, and to take part in the work of expiation; yet the chief responsibility fell upon those who had come forward as accusers and professed to have heard the impious words; they were therefore bound to lay their hands upon the offender's head, and thereby to intimate that they were more particularly concerned in the fate he was about to suffer; and they had to throw the first stones (Deut. XVII. 7; see Comm. on Lev. I. p. 176; comp. on Exod. p. 439; and on the mode of lapidation see *supra* p. 442). The Rabbins ordered, moreover, that the judges also should impose their hands upon the culprit's head, which was done in no other case of capital execution. However, they decreed that the blasphemer should only be put to death if he had made use of the "specific name" of God (שם ה' או שם כבודו המלא), that is, the holy tetragrammaton (יהוה), but not if he had employed some such appellative term (כבוד) as "the Merciful" (רחום) or "the Almighty" (עז); a restriction analogous to that made by Jewish tradition in the case of children cursing their parents (XX. 9, *supra* p. 446; comp. *Targ. Jon.* "he pronounced and reviled the great and glorious name of manifestation — שם ייחודי וקדוש — that had been heard on Sinai"; *Targ. Jer.* the holy name — שם קדוש; *Mishn. Sanh.* VII. 4; *Talm. Sanh.* 56, 87^a; *Maimon. Hilch. Sanhedr.* c. 26).

Among the Mohammedans, blasphemy, whether uttered against God and Mohammed, or against Moses and Christ, is punished with instantaneous death; it can not even, like apostacy or infidelity, be atoned for by repentance and contrition, since it is considered to arise from utter depravity.

The question addressed by Moses to God not only elicits His decision on the immediate case, but calls forth ordinances on other subjects in no way connected with the present one, and treated of elsewhere in more suitable contexts. However, our enactments appear to imply a most important modification of former laws; for they declare, "You shall have one manner of law, the stranger shall be as the native" (ver. 22), and therefore, we must conclude, the slave also as the freeman: the progress is immense; it removes an anomaly which has always been regarded as a stain upon the earlier legislation, and which is hardly in unison with its general spirit of humanity; it amounts to a repeal of those odious provisions that a man who smites his slave so that death ensues only after a day or two, shall not be punished because the slave "is his money"; and that a master who ill-treats his slave so as to cause the loss of an eye or tooth, suffers no other penalty than the forfeiture of that servant who is his property (Exod. XXI. 21, 26, 27; see notes in locc.). Our author propounds the broad principles, "He that kills any man (כל נפש) shall surely be put to death", and "If a man causes

upon his head, and let all the congregation stone him. 15. And thou shalt speak to the children of Israel, saying, Whosoever reviles his God, shall bear his sin; 16. And he that curses the name of the Lord, shall surely be put to death, all the congregation shall

a blemish in his neighbour (וּכְצַדָּתוֹ), as he has done, so shall it be done to him" (vers. 17, 19, 21); the former command almost recalls that given to Noah when mankind consisted of a single family, "Whoso sheds man's blood, by man shall his blood be shed, for in the image of God made He man" (Gen. IX, 6); and the latter is akin to the maxims, "Thou shalt love thy neighbour (רֵעֲךָ) as thyself", and "Thou shalt love the stranger as thyself" (XIX. 18, 34). Our laws might, therefore, well conclude, "I am the Lord your God" — the God of all, of all Hebrews whatever their station, and of all men whatever their race; and the author might have joined in the utterance of a near contemporary, "Have we not all one Father, has not one God created us? why do we deal treacherously every man against his brother?" (Mal. II. 10). When the Jews returned from their captivity, a small and needy band, they felt charitably disposed towards their few slaves, especially as they had been well treated by their Babylonian masters, and had experienced the clemency of the Persian conqueror. The times of Egyptian cruelty were forgotten; feuds and conflicts with the heathen tribes of Canaan would have been fatal; and therefore a more lenient and more sympathetic spirit in the laws of strangers was possible and derisible (comp. XIX. 34; Num. XV. 14—16, 26, 29; and *supra* p. 435).

Yet the principle which pervades all these commands is still the old "law of retaliation", or *jus talionis*,

which has given rise to so many discussions, and which has been so differently viewed and estimated in the New Testament and by Josephus, by the Pharisees and Sadducees, by later Jewish and Christian writers (comp. Exod. XXI. 23—25; Deut. XIX. 16—21). But the matter may be briefly summed up. Like many ancient legislations, that of the Hebrews sanctioned actual retaliation for bodily injuries inflicted upon others — "breach for breach, eye for eye, tooth for tooth"; but as other nations, so the Hebrews, perceiving that this mode of retribution, apart from its cruelty, is often most unjust, seem, at a comparatively early time, to have commuted it, in all except rare cases of fierce vindictiveness, into a pecuniary compensation agreed upon by the two parties themselves or fixed by the judges; this practice was certainly prevalent in the time of Josephus (Ant. IV. viii. 35); it was adhered to by the later tribunals of the Pharisees, though the earlier ones, represented by Eliezer ben Hyrcanus, restricted it to unintentional injuries; and it was advocated by all subsequent Jewish authorities. The Sadducees and Karaites alone insisted upon the literal interpretation of the text, and had on that account constantly to bear the attacks and taunts of their opponents. Nor ought it to be forgotten that this is intended as a civil or penal, not as a moral law; and it would, therefore, be unjust to infer from it the ethical principles which guided the Hebrews, the chief of which were,

certainly stone him; as well the stranger as the native, when he curses the Name *of the Lord*, shall be put to death.

"Thou shalt not hate thy brother in thy heart," and "Thou shalt not avenge nor bear any grudge against the children of thy people" (comp. Matth. V. 38, 39, *supra* p. 415; see also *Tertull.* Adv. Marc. IV. 16). The subject has been fully discussed before (Comm. on Exod. pp. 403—407), and we shall below give a few additional references.

PHILOLOGICAL REMARKS. — It would be idle to conjecture from what source or document the laws of this portion were derived (comp. *De Wette*, Beiträge, II. 299, 307—309; *Knob.* Levit. p. 556; *Nöldeke*, Untersuchungen, p. 62; a. o.); they are, for the greatest part, and in some instances almost literally, found in the old "Book of the Covenant" also (Exod. XX. 19—XXIII. 33), which no doubt, from early times, stood in high authority, and was constantly enlarged and commented upon (comp. also Exod. II. 11, 13). But we should remember that the story in Numbers (XV. 32—36) of the man who gathered sticks upon the Sabbath, strongly resembles ours in form and tendency: the Israelites, "brought the man to Moses and Aaron and all the congregation, and they put him in ward (*וַיִּשְׁבּוּהוּ* *וְאֵלֶּיךָ*) because it was not declared (*וְלֹא נִדְּבַר*) what should be done to him. And the Lord said to Moses, The man shall surely be put to death; all the congregation shall stone him with stones without the camp. And all the congregation brought him without the camp, and stoned him with stones, and he died, as the Lord commanded Moses." We seem, therefore, to have two different accounts of the same event, whether

tradition wavered on the subject, or one account is an imitation of the other (compare the three versions of the same incident in Genes. XII. 10—20; XX. 1—18; XXVI. 1—11). Such narratives were framed in later times in order to impress the chief commands in the most striking manner, by attributing the judgment of offenders to Moses and to God Himself. — The cause of the quarrel here alluded to can of course not be ascertained, and it would be useless to mention the speculations in which earlier and later writers have indulged both on that and on other incidental points (comp. f. i. Siphra, Targ. Jon., Rashi and Ebn Ezra on ver. 10; *Philo*, Vit. Mos. III. 24, 25). — *וַיֵּצֵא* *וְאֵלֶּיךָ* (ver. 10), literally "he went out . . . into the midst of the children of Israel," which implies that he lived apart from them. — *אִישׁ מִיִּשְׂרָאֵל* is "a man of Israel", while *בְּנֵי יִשְׂרָאֵל* is used collectively for "men of Israel" (Josh. IX. 6, 7; X. 24). — According to Hebrew or rather ancient conceptions generally, the *name* of a thing expresses its *essence*, and was often employed as its equivalent; Adam, we are told, "gave names to all cattle, and to the fowl of the air, and to every beast of the field, but for himself he did not find a help meet for himself", that is, he, the *אָדָם* or man, found no creature fit to bear the name of *אִשָּׁה* woman, or companion of man (Gen. II. 20, 23). The name of a person was, therefore, no matter of indifference; it was deliberately chosen, and it was altered when a crisis in their lives had taken place or was expected (Comm. on Gen. p. 114). When Moses was entrusted

17. And he that kills any man shall surely be put to death. 18. And he that kills a beast, shall make it good, beast for beast. 19. And if a man causes a

with his mission to Pharaoh, he asked God by what name he should announce Him to the Israelites, and he received the answer, By the name *I am that I am* (אֲנִי אֶהְיֶה אֲנִי) or *The Eternal* (אֶלֹהִים), which had not been known to their forefathers; and this, God said, "is My name for ever and My memorial (זִכְרוֹן) to all generations" (Exod. III. 13—15; VI. 2, 3; Comm. on Exod. pp. 51 sqq.). Lofty assurances or predictions are often concluded with "The Lord" or "The Lord of Hosts is His name" (אֲנִי אֶלֹהִים אֲנִי אֶלֹהִים; Am. V. 27; Jer. X. 16; etc.); and in a glorious future "the Lord will be one and His name one" (Zech. XIV. 10). Thus Name (שֵׁם) became synonymous with fame, glory, and every greatness; and God was the Name of Names, or the Name *an' i'lohim* (אֲנִי אֶלֹהִים), at first still described by epithets like "this glorious and awful Name, the Lord thy God" (Deut. XXVIII. 58); and then without any qualifying attributes, as in our passage (vers. 11, 16), in the first Book of Chronicles (XIII. 6, שֵׁם אֱלֹהִים אֱלֹהִים), and quite currently in later writings of Talmudists and Rabbins (comp. *Buxtorf*, *Lex. Chald.* pp. 2432—2438). Tablets found at Palmyra bear this and similar inscriptions, "To the blessed Name reverence for ever". — The man both "cursed" (אָרֻר) and "reviled" (לָעָרַץ) the name of God (ver. 11); the former was the graver offence; for while the לָעָרַץ, or he who speaks slightly or disrespectfully (as Pharaoh and Balaam did, Exod. V. 2; 2 Ki. XVIII. 30, 35), merely "bears his sin" (נִשְׂאָה אִשָּׁתוֹ), that is, is punished as the judges may deem fit; the אָרֻר suffers the death of lapidation

(vers. 15, 16); the man is here briefly called אָרֻר (vers. 14, 23), since it is understood that he was at the same time אָרֻר. For although אָרֻר (properly to bore, to puncture) means to designate and specify in general, or with distinction (see Gen. XXX. 28; Num. I. 17; Isai. LXII. 2; etc.), it signifies here, as elsewhere, to mention with words of reviling or imprecation, and is, therefore, used as a synonym of אָרֻר to curse (Num. XXIII. 7, 8), or as the opposite of בָּרַךְ to bless (Prov. XI. 26; comp. XXIV. 24; Job III. 8; V. 8); thus the Vulgate (cumque blasphemasset nomen), Saadiah, and nearly all modern translators. But the Septuagint and most of the Jewish interpreters render אָרֻר simply to name or to pronounce (Sept. *zai* *ἐκπορεύσας*... *τὸ ὄνομα*, Onk. אָרֻר, Jon. אָרֻר אָרֻר (Jerus. only אָרֻר); similarly the Samaritan version in ver. 11 (אָרֻר אָרֻר); but in ver. 16 אָרֻר אָרֻר אָרֻר, that is, probably, he who tries to oppose God by means of sorcery; see *Talm. Sanh.* 81^a, אָרֻר אָרֻר; comp. *Kohn*, *Samar. Stud.* pp. 75, 76), Philo, the Syriac translation, Ar. Erp., Bashi, Ebn Ezra, Bashb. אָרֻר אָרֻר אָרֻר, Kimchi, s. v. אָרֻר אָרֻר אָרֻר, that is, the tetragrammaton, and some others, as Grotius, Cleric., Michael, and Rosenm.; hence Jewish authorities prohibited the pronunciation of God's holy name אָרֻר as a crime (though not punishable with death; comp. *Talm. Sanh.* 56^a); this was the case already in the time of Philo and Josephus. "Thou alone, thou all-wise legislator", exclaims Philo, "hast seen that it is worse to name God than even to curse Him" (τεῖ

blemish in his neighbour, as he has done so shall it be done to him; 20. Breach for breach, eye for eye, tooth for tooth: as he caused a blemish in a man, so shall it be done to him *again*. 21. And he that kills a beast,

καταπαθεσθαι χειρον το δνομα ζειν ο κελη-
ψας; and he adds, "and if anyone were,
I will not say, to blaspheme against
the Lord of gods and men, but were
even to dare to utter His name un-
seasonably (δκαίρως αὐτοῦ φθέγξασθαι
τὸ ὄνομα), he must undergo the punish-
ment of death" (Vit. Mos. III. 25, 26;
comp. *Joseph. Ant.* II. xii. 4). The
Egyptians considered it impious to
name a certain god (*Cic. Nat. Deor.*
III. 22 or 55; *Arnob. Adv. Gent.* IV. 14,
quartus suboles Nili est, cujus nomen
Aegyptia gens horret et reveretur
expromere); the ancient Athenians
took oaths without mentioning the
god himself (ἄλλειπικτως); and
the Romans never referred to their
chief tutelary deity even in conver-
sation, nor were they permitted to
enquire whether that deity was a god
or a goddess (*Plut. Quaest. Rom.* 61;
Macrobi. Sat. III. 9; see Comm. on
Exod. pp. 352—355; comp. however,
Hom. II. III. 385, Ζεῦ πάτερ, οὕτως
σε το θεῶν ὁλοώτερος ἄλλος; 399,
Δαιμονίη—Aphrodite—τί με ταῦτα
λελάϊσαι ἤπεπορεύειν; *Theocr.* Id. I.
99, 100, Κύπρι βασιῖα, Κύπρι νεμε-
σαστά, Κύπρι θνατοῖσιν ἀρχὴς). But
as we have pointed out, ἀπὸ involves
a more serious offence than ὅτι (ver.
12) to declare or to say *disinctly*, a
word which, in the Pentateuch, occurs
only in this and the parallel passage
of Numbers (XV. 34, see *supra*), and
besides in some other compositions of
a later date (comp. *Nehem.* VIII. 8;
Ezra IV. 18). — Some interpreters (as
Rashi, Hofmann, Keil, a. o.) contend,
that the witnesses, by imposing their
hands on the criminal's head, meant
to declare, that "his blood was on

his head, and that they deprecated
all responsibility since he had brought
death upon himself" (comp. *Susann.*
34): but "the imposition of hands sym-
bolises connection and close relation-
ship, rather than separation and re-
moval; it is, therefore, in meaning the
opposite of the washing of hands
prescribed for the expiation of a
murder, the perpetrator of which is
unknown (*Deut.* XXI. 6, 7), or
performed by those who desired to
declare, that they were "innocent of
the blood of some just person"
(*Matth.* XXVII. 24). Others curiously
explain that by the imposition of
hands the offender was solemnly de-
dicated to death by the accusers, or
"was treated as an expiatory victim
loaded with the entire burden of the
crime for which he was executed"
(*Kurtz, Opfercult.* § 46, p. 76; *Killo,*
on ver. 14; comp. also *Ewald, Alterth.*
p. 45; and *Grotius* in his notes on ver. 14,
quia populus ejus morte tamquam vic-
tima expiatur): but the circumstances
and the proceedings have no analogy
whatever with a sacrifice. The holy
community was indeed considered as
defiled by the crime; yet it is prob-
ably too subtle to explain, "those
who had heard the blasphemy im-
posed their hands upon the offender,
and thus transferred their involun-
tary guilt by a free act upon the head
of the sinner" (*Baumgarten* in loc., p.
230) — so that this would be an
analogy to the goat sent to Azazel!
"The punishment of stoning," says
Philo (Vit. Mos. III. 25), "was a
suitable and appropriate punishment
for a man who had a stony and har-
dened heart" (ἀνδρὸς λιθίνην κα

shall restore it; and he that kills a man, shall be put to death. 22. You shall have one manner of law; the stranger shall be as the native: for I am the Lord your God.

23. And Moses spoke to the children of Israel, and

ἀπόπορον ψυχὴν ἔχοντος), especially as it afforded to all the members of the congregation an opportunity of sharing its infliction. — *מָוֶה* (vers. 17, 18, 21) means here of course *killing* (comp. Exod. II. 11, 12; Deut. XXXV. 24; etc.), though *מָוֶה* alone is often simply *beating* (Exod. XXI. 15, 17, etc.), and beating to death is expressed by some addition as *מָוֶה וְיָמָוֶה* (Exod. XXI. 13, 18, etc.). Some suppose that *מָוֶה* in vers. 17 and 18 means killing, but in ver. 21 *wounding* (comp. *Rashi* on ver. 21; *Rashb.* on ver. 16); and others have pointed out still less probable distinctions (comp. *Ebn Ezra* on ver. 20): the 21st verse might indeed have been omitted; but similar repetitions are frequent in the levitical codes. — *חַיָּה* (vers. 17), literally, the life of a man, that is, a *living man*, or simply a *man* (comp. Num. XXXI. 35, 40, 46, etc.), as *חַיָּה וְחַיָּה* is simply a *beast* (comp. vers. 18 and 21): *חַיָּה* alone is, however, also used of *departed* life, and means a dead man (XIX. 28; XXI. 1, etc.; *supra* p. 430; comp. Num. XIX. 11). — With respect to the *jus talionis* we may further refer to *Talm. Sanh.* 87^b, *מִי שֶׁהָרַג אֶת חַיָּהּ*; *Bab. Kam.* 84^a; *Mechilla*, *Mishpatim* c. 8, fol. 91 ed. Weiss; *Talk. Shim.* § 338, *מִי שֶׁהָרַג אֶת חַיָּהּ*; *Fürst, Karäerthum*, I. 9, referring to the stricter view of the Karaites; *Geiger, Jüd. Zeitschr.* IV. 111, dwelling upon the different decisions of the earlier and the later Halachah; *Maimon. Mor. Nev.* III. 41, where, after quoting ver. 20, he observes, "You must not be surprised that we inflict in such cases only a pecuniary fine; for my

present object is to elucidate the text of the Bible, and not to account for the traditional interpretation; moreover, I have on this tradition an opinion which I can only communicate verbally": Maimonides evidently intimates that he considers bodily retaliation, not its conversion into a fine, to be the intention and meaning of the Biblical command; *Aristot. Ethic. Nic. V. v. 3*, quoting a maxim attributed to Rhadamanthus, "If a man suffers what he has done, even justice will take place (*εἴτε πᾶσι τοῖς ἐπεῖτε, δίκη καὶ θεῶτα γένοιτο*), but on his own part opposing retaliation, which, he says, "neither squares with the idea of distributive nor of corrective justice (*ἐπαρμόττει οὐτ' ἐπὶ τὸ διανεμητικὸν δίκαιον, οὐτ' ἐπὶ τὸ διορθωτικόν*), and is in many cases at variance with it; as for example, if a man in authority has struck another, it is not right that he should be struck in return; and if a man has struck a person in authority, it is right that he should not only be struck, but punished besides" etc.; *Demosth. Adv. Timocr.* p. 744 (p. 43 ed. Becker), relating, that "there was a law among the Locrians, that if anyone knocked out the eye of another, he should lose his own without paying a pecuniary penalty; now a man having an enemy with only one eye, threatened to knock it out; the one-eyed man, alarmed at this threat, . . . ventured to introduce a law that whosoever knocked out the eye of a one-eyed man, should lose his own two eyes, so that both might suffer the same affliction" (comp. *Comm. on Exod.* p. 706); *Diod. Sic.* XII. 17, re-

they brought forth him that had reviled out of the camp, and stoned him with stones. And the children of Israel did, as the Lord commanded Moses.

lating the same with regard to Thuri-
rium; *Gell. XX. l. 14*, criticising the
jus talionis as established by the
Twelve Tables, and stating that,
as a rule, the offender paid a fine fixed
by the judge (hanc quoque ipsam
talionem ad aestimationem judicis
rediginecessario solitam, etc.); *Manu*
VIII. 279—283, "If a common person
inflicts an injury upon a noble, he
shall have the same limb cut off
which he has destroyed, or such a
part of it as he has injured; he who
lifts up his hand or stick against an-
other, shall have his hand cut off; and
anyone who in a passion kicks an-
other with his foot, shall have a cut
made in that foot", etc.; *Yājñav. II.*
215—220, where, however, instead of
bodily retaliation, a fine is pre-
scribed, except "if a non-Brahman
injures any limb of a Brahman; in this
case the same limb of the offender
shall be cut off" (comp. *Strab. XV. i.*
55, "In India, he who has maimed
another not only suffers in return
the loss of the same limb, but his
hand also is cut off; anyone who
causes a workman to lose his hand
or his eye, is put to death"); *Vendid.*
farg. IV, ordaining for violence stripes,
or, in some cases, money instead of
them; *Lane, Modern Egypt, l. 145*,
"Retaliation is in Egypt allowed for

intentional wounds and mutilations,
like as for murder, 'eye for eye', etc.
(*Koran V. 49*); but a fine may be ac-
cepted instead, which the law allows
also for unintentional injuries; the
fine for a member that is single (as
the nose) is the whole price of blood,
as for homicide; for a member of
which there are two and not more
(as a hand), half the price of blood;
for one of which there are ten (a
finger or toe), a tenth of the price of
blood", etc. — The terms אֵימָה נָשָׂא
(ver. 17) and נִשְׁמַתָּה (ver. 19), as well as
the tenour of the entire passage, prove
that the "stranger" (גֵּר) here referred
to (ver. 22) is any non-Hebrew, and
not merely "the stranger of justice"
(גֵּר צֶדֶק), as has often been supposed
(see, f.i., *Selden, De Jur. Nat. et Gent. p.*
468). — Rabbinical interpreters found
in the words אֵימָה נָשָׂא (ver. 19) the
injunction of punishment in general,
and in אֵימָה נָשָׂא (ver. 20) the intima-
tion of a pecuniary fine, since if re-
taliation were meant, אֵימָה would have
been employed instead of אֵימָה (see
Comm. on Exod. p. 465), and the verb
נָשָׂא refers to monetary transactions
or to money changing hands (*Rashi*
on ver. 20, אֵימָה נָשָׂא אֵימָה). — The
construct state אֵימָה before the ad-
jective נָשָׂא is a peculiarity not rare in
Hebrew (comp. Gramm. § 87. 8°).

VIII.

THE SABBATICAL YEAR AND THE YEAR OF JUBILEE.

CHAPTER XXV.

SUMMARY.—Every seventh year is to be kept as a Sabbatical year to the Lord, when fields and vineyards are not to be cultivated, and their spontaneous produce is to belong to the poor and the beasts as well as to the proprietors (vers. 1—7). — Every fiftieth year, on the Day of Atonement, liberty shall be proclaimed throughout the country, and then all Hebrew servants are to be released, and all fields that had been sold shall be restored to their former owners. This is the Year of Jubilee, during which the land shall rest as in the Sabbatical year (vers. 8—18). — The purchase price of fields is to be equitably regulated according to the number of years still remaining to the next jubilee (vers. 14—17). — The people are exhorted faithfully to keep the Sabbatical year, and God promises in the sixth year such plentiful harvests, that they will suffice for the seventh and eighth year (vers. 18—22). — The land is not to be sold for ever, and may be redeemed (vers. 23, 24). — Then follow provisions (1.) about Hebrews who, from poverty, are compelled to sell their land (vers. 25—28), or (2.) their houses (vers. 29—31); (3.) on the houses of the Levites and their fields in the suburbs of levitical towns (vers. 32—34); (4.) on loans to be granted to poor Hebrews (vers. 35—38); (5.) on the treatment of Hebrew slaves (vers. 39—45); (6.) about perpetual bondmen taken from heathen nations (vers. 44—46); and, lastly, about Hebrews sold as slaves to resident strangers (vers. 47—55).

1. And the Lord spoke to Moses in Mount Sinai, saying,

II. General Survey. — There are perhaps in the whole ancient world no institutions bearing comparison with the Hebrew Year of release and of jubilee, either in comprehensiveness or in loftiness of principle. It is impossible to appreciate too highly the wonderful consistency with

which the Sabbath was made the foundation of a grand series of celebrations extending from the Sabbath-day to the Sabbath-month and the Sabbath-year, and lastly to a great Sabbath-period of years. And all these institutions were associated with ideas admirably calculated to foster both a sense of dignity and humility, both zeal in practical pursuits and spiritual elevation, both prudence and charity. — As God, the Creator of heaven and earth, rested after the completion of His works, and as He delivered the Hebrews from Egyptian bondage, the Sabbath rest was to be hallowed both by feelings of awe and gratitude. — Having formed man after His own similitude, and having granted him the rule over the earth and the enjoyment of its treasures, He charged him to preserve his Divine attributes by labour and self-control; therefore the first day of the Sabbath-month, or the New-year's day, ushered in a season of penitence culminating in the Day of Atonement, when by the forgiveness of sins, the Israelites were restored to their original purity; and then only were they permitted to keep a week of rejoicing tempered by humble submission. — Assigning abodes to all the nations of the earth, He gave to the Hebrews the land of Canaan, which His aid enabled them to conquer; therefore every returning Sabbathical year was to remind them that it was not by their own strength that they had obtained so beautiful and so fertile a territory; it was to proclaim to them in the name of their God: "This land is Mine, and you are only strangers and sojourners with Me" (ver. 23); and as a visible token of God's sovereignty, the soil was in that year to remain entirely uncultivated; it was "to keep a Sabbath to the Lord"; fields were not to be sown,

nor vineyards pruned, and that which grew spontaneously was not to belong exclusively to the proprietors, but to all alike, to servants, to strangers, and the poor, even to the cattle and the free beasts of the field: so entirely was the Hebrew to divest himself from the pride of wealth. — All men being the children of the same God, and all bearing the seal and stamp of His Divinity, they are equals, and have the same rights of freedom and of property; therefore it was ordained that, as the years rolled on, and a period of seven Sabbatical years was completed, the primitive state of Hebrew society should be re-established, as it had been sanctioned by God's will after the conquest and the distribution of the Holy Land under Joshua; and the Israelites were commanded, "You shall hallow the fiftieth year, and proclaim liberty in the land to all its inhabitants, . . . and you shall return every one to his possession, and you shall return every one to his family" (ver. 10); no one was really to own more than any of his neighbours, and the slave was to regain his modest heirloom and his independence; for, says God, "To Me the children of Israel are servants; they are My servants whom I brought forth out of the land of Egypt; I am the Lord" (ver. 55; comp. ver. 42).

Thus the great chain from the seventh day to the end of seven times seven years was completed; and it encompassed in its widening circles the sanctification of the individual Hebrew and of the Hebrew nation, the protection of every citizen and of the commonwealth, the relation of God to the holy land and the holy people. It is the most perfect system of theocracy that has ever been devised. If we could prove that it was originated in all its parts by one mind or at one epoch, it would

be without parallel or analogy in all history as a work of largely conceived legislation. But no such proof can be produced. On the contrary, we have ample means to show that it grew but very gradually, and that it was hardly consummated within a thousand years. Its foundation is indeed the Sabbath, the antiquity of which is undoubted, and which may be safely referred to the Mosaic age. Even at so early a date, the number seven, representing one phase of the moon, was held sacred, and was associated with religious institutions, and especially the festivals. It was indeed so constantly and so ingeniously employed as a measure of time that, in some degree, it appears like the principle from which many laws were evolved. Thus we find in the old "Book of the Covenant" in Exodus this injunction: "Six years shalt thou sow thy land, and shalt gather in its produce; but in the seventh year thou shalt let it lie and leave it, that the poor of thy people may eat; and what they leave the beasts of the field shall eat" (Exod. XXIII. 10, 11). This was the next step in the development of the system. Looking at the context in which that command is introduced, it appears to be an injunction referring either to charity or to agriculture; for it occurs in the midst of precepts on the poor and the stranger, and the celebration of the agricultural festivals; it may have been intended to secure to the needy, at fixed intervals, crops which they could claim as a right, or it may have been designed to increase the fertility of the soil by periodical rest (see *infra* Phil. Rem.). The command certainly makes no allusion whatever to a theocratic or any other higher principle; it has no spiritual stamp; it was suggested by benevolence or expediency.

The law of the Deuteronomist, promulgated centuries later, bears also the character of humanity. With his usual and kindly solicitude for the needy and the suffering, he provided that every seven years "a release" (רָצוּף) should be made, which he explained thus: "Every creditor shall release the loan which he lends to his neighbour; he shall not press his neighbour or his brother, because a release to the Lord has been proclaimed; the foreigner thou mayest press, but that which is thine with thy brother thou shalt release"; and he ordered, moreover, that on the Feast of Tabernacles in that year, when the anxieties of the harvest and the vintage were over, the Law should publicly be read and explained at the national Sanctuary to the assembled people, men, women, and children, and even the strangers (Deut. XV. 1-3; XXXI. 10-13). But by no word did he refer to the agricultural bearing of the seventh year; it was to him "a Year of release" and not a Sabbatical year. Why did he ignore an arrangement which had been enforced many generations before him, and which, from its charitable tendency, must have been particularly congenial to him? The answer is—because, up to his time, the seventh year had never been kept as a Sabbatical year. This is testified in the Book of Leviticus; for describing the period and misery of the Babylonian exile, of course in the form of prophecy, the author declares: "Then shall the land pay off its Sabbaths as long as it lies desolate, and you are in your enemies' lands; then shall the land rest, and pay off its Sabbaths; as long as it lies desolate, it shall rest; because it did not rest in your Sabbaths when you dwelt upon it" (XXVI. 34, 35, 43); and a still later writer, the

Chronist, one of those indulging in combinations popular in his time, declared that the Hebrews had to suffer seventy years of captivity on account of seventy neglected Sabbatical years (2 Chr. XXXVI. 21; comp. Jer. XXV. 11, 12). Therefore the Deuteronomist, seeing that the old law of the seventh year found little favour among his countrymen, and yet anxious to signalise the conclusion of so significant a period, associated with it another ordinance, which, however, was even more impracticable than the earlier one. For while we find that, in the fifth century, in Nehemiah's time, the people pledged themselves to keep the seventh year, and that thenceforth both Jews and Samaritans seem faithfully to have carried out their promise; the periodical remission of all debts proved so unfair and so unacceptable that it was not enforced again by the levitical writer, who confined himself solely to the territorial arrangements (comp. vers. 2—7), and that a later authority, the great Hillel, found it necessary, as he dared not repeal the Biblical command, at least to annul its operation by introducing the so-called *Prosbul* (ᾠρατὴ προέβουλή or προέβουλή), a declaration duly signed by witnesses, which the creditor handed over to the judges, and in which he reserved to himself the right of demanding back debts due to him at any time he might choose; or by a title-deed according to which he surrendered his claim in the seventh year to the civil authorities, and empowered them to exact it from the debtor: and not long afterwards, even the formality of the *Prosbul* was declared unnecessary (comp. Neh. X. 32; 1 Macc. VI. 49, 53; Jos. Ant. III. xii. 3; XI. viii. 6; XIII. viii. 1; XIV. x. 6; XVI. i. 2; Bell.

Jud. I. ii. 4; Tacit. Hist. V. 4; Mishn. Sheviith X. 3, 4, where the form of the Prosbul is thus given: "I N. N. deliver to you, the judges in the town N. N., the declaration that I shall exact any debt due to me at any time I like, כל יומי שיש לי שאלה, כל יומי שיש לי שאלה; and the judges or any other witnesses then sign this declaration"; Kethuv. IX. 9; Gitt. IV. 3; Talm. Gitt. 36, 37; Pesach. 52^b; Buxt. Lex. Talm. pp. 1806, 1807; Löw, Beitr. II. 89; see *infra* on vers. 2—7).

So far had the matter advanced, when the misfortunes of the Babylonian exile and the feelings of gratitude at the unexpected deliverance gave a fresh impulse to religious life. It was then that the seventh month was truly made the Sabbath-month. It had indeed from immemorial times been distinguished by the third and greatest harvest festival lasting seven days; but not before the fifth century did it receive its full importance through the Day of Memorial, and especially through the Day of Atonement, which was, above all other days of the year, "a Sabbath of rest". In the mean time, the theocratic theory had been worked out to the very verge of speculation. Its beginnings reach back at least into the time of the Judges; it is expressed, with some distinctness, in the reply made by Gideon to the people when they offered him the hereditary crown: "I will not rule over you, nor shall my son rule over you; the Lord shall rule over you" (Judg. VIII. 23); it is implied in the words which God addressed to Samuel when the Hebrews had asked for a king: "Hearken to the voice of the people in all that they say to thee; for they have not rejected thee, they have rejected Me that I should not reign over them"; and to this request Samuel himself, reproaching

the people, subsequently referred: "When you saw that Nahash the king of the Ammonites came against you, you said to me, Nay, but a king shall reign over us" (1 Sam. VIII. 7; XII. 12; comp. X. 19; Hos. XIII. 10, 11). The same idea was clothed in a more imaginative and more lofty form, when God was declared to have borne the Hebrews on eagles' wings and to have brought them to Himself, because they were a peculiar treasure to Him above every other people, and were intended to be a kingdom of priests and a holy nation (Exod. XIX. 4—6). With increasing force the idea was now insisted upon that, by redeeming the Hebrews from Egyptian oppression, and by allowing them to settle in Canaan as free citizens, God had become the king and lord of the Hebrews not merely as He is the king and lord of the whole earth and all its inhabitants, but in a manner more direct and more personal (see *supra* p. 184, and *infra* Phil. Rem.). He could not suffer that any of His Hebrew subjects should be in permanent bondage, nor could He allow that any portion of His own chosen land should for ever be wrested from the family to which He had assigned it. And thus, by reflection, close reasoning, and by logical conclusions drawn from an abstract principle, the great Sabbath period of the Jubilee was at last instituted with its twofold provision of the restoration of all Hebrew slaves to liberty, and the restoration of all sold lands to their original proprietors. This step was reserved for the levitical legislator, and is explained in our chapter with great minuteness. It is alluded to neither in any part of Exodus nor of Deuteronomy. It was one of the latest measures proposed by Hebrew teachers within the Biblical times; it was suggested even later

than the Day of Atonement with which the Jubilee was brought into connection (ver. 9). That it was, in this form, unknown in the earlier part of the Babylonian exile, we have historical evidence to prove.

First, as regards the Hebrew slaves, an ancient law embodied in "the Book of the Covenant", as is well known, enforced their gratuitous release after six years of servitude, and it enacted that, if they renounced liberty, they should be marked in the ear with a sign of dependence, and should then "serve their masters for ever" (עַד־עַד, Exod. XXI. 1—6). The same law was repeated, in similar terms, by the Deuteronomist, who, however, extended it to the Hebrew maid-servants also; he urged the masters, with his usual benevolence, to dismiss the slaves with rich presents of cattle, corn, and wine; and, what is more significant, headed this exhortation, "And thou shalt remember that thou wast a bondman in the land of Egypt, and the Lord thy God redeemed thee; therefore I command thee this thing to day": which words, though also appealing to feelings of goodwill, form a transition to the principles of theocracy (Deut. XV. 12—18). But even these laws had up to the time of Jeremiah been all but ignored. For when in the reign of king Hezekiah, the chiefs and the people had temporarily dismissed their servants, but had soon afterwards forced them back into bondage, the prophet, in his rebuke, exclaimed: "Thus says the Lord, the God of Israel— I made a covenant with your fathers when I brought them out of the land of Egypt, saying, At the end of seven years you shall let go every man his Hebrew brother who has been sold to thee; and when he has served thee six years, thou shalt let him go free from thee; but

your fathers hearkened not unto Me, nor inclined their ear" (Jer. XXXIV. 8—16). From these words it appears also that, in the time of Jeremiah, no other slave laws were current or accepted but those fixing either a six years' or a perpetual servitude. But our section prescribes: "If thy brother becomes poor by thee, thou shalt not compel him to serve as a bond-servant; but as a hired servant and as a sojourner he shall be with thee, and shall serve thee to the Year of jubilee; and then shall he go out free from thee, both he and his children with him, and shall return to his own family, and to the possession of his fathers shall he return; for they are My servants whom I brought forth out of the land of Egypt; they shall not be sold as bondmen are sold" (vers. 39—42). The differences between the earlier and these later enactments are evident: the former make no mention of a jubilee, the latter none of a six years' term; the former only care how to secure the servant's liberal treatment after the termination of his short period of involuntary dependence, the latter are anxious to define his position, and to protect his privileges, as a Hebrew citizen during his compulsory, and it may be very protracted, connection with his master; and the one leave him the option of remaining a slave his whole life-time, the others force him to return to liberty in the Year of jubilee: for the earlier provisions contemplate rather the rights of the theocratic citizen, the later laws the duties of the theocratic community; the one view more particularly the slave in his relation to his master, the other the master in his relation to God. It was at first deemed sufficient to found a commonwealth on equity and charity; later thinkers desired to establish a holy polity on

abstract principles of spiritualism: it was a fine and lofty aspiration, but it could not possibly be made a reality.

Similar was the case with respect to the Hebrew *territory*. It was the intention of the early legislators, as much as possible to secure equality for all Hebrew citizens, to guard against the extinction of families, which would have disturbed the organism of the community, and to prevent the co-existence of excessive wealth and helpless destitution. With this view the laws of territorial distribution and of inheritance were framed (comp. 1 Ki. XXI. 3, 4; Num. XXVII. 1—11; XXXVI. 1—11). Yet the accumulation of vast lands in the same family was not prevented, and the prophet Isaiah complained: "Woe to them that join house to house, that lay field to field, till there is no room, and you [they] remain alone placed in the land" (Isai. V. 8; comp. 1 Ki. XXI. 2, 16; 2 Sam. XVI. 4; Mic. II. 2; Ezek. XLV. 6). It appears that even before the exile some law or custom existed regulating the periodical restoration of lands, and that the year in which this took place was called "the year of liberty" (לשנת חירות); but of this arrangement we have hardly any information except that given in one passage of Ezekiel, who mentions rather than explains it: "Thus says the Lord God, If a prince give a gift to any of his sons, the inheritance thereof shall be his sons'; it shall be their possession by inheritance; but if he give a gift of his inheritance to one of his servants, then it shall be his to the year of liberty (לשנת חירות), and afterwards it shall return to the prince; only to his sons shall his inheritance belong" (Ezek. XLVI. 16, 17). At what intervals and how this "year of liberty" was kept, we are

unable to ascertain, as no allusion whatever to such an institution or its celebration is found in any of the ante-Babylonian Books. The more elaborate are the directions given by the levitical author in our chapter. He combines full details with the enunciation of distinct principles. His account is indeed so specified and so matured, it discusses the subject so systematically from every point of view and for all possible emergencies, that it cannot be a first sketch or a primitive law; and it reflects a theocratic organisation balancing the rights and claims of all, of the rich and the poor, the people and the priests, the natives and the strangers.

Therefore, to sum up, the successive phases were these — first the Sabbath, next the Sabbatical year, then the Sabbath-month, and finally, late in the Persian period, the Jubilee. So normal was their development, and so logically were they unfolded from identical principles, that, in the same order, two and two of them correspond with each other in nature and meaning — the weekly Sabbath or perfect rest with the Sabbatical year, and the Sabbath-month or the restoration to moral purity with the Jubilee or the complete renewal of the commonwealth; and in each case, the one might be called the prototype of the other. Hence both the Sabbatical year and the Jubilee are peculiar to the Hebrew Law, and have elsewhere hardly an analogy; for they are founded on the Sabbath, to which there exists no complete parallel.

PHILOLOGICAL REMARKS. — The ordinances of this chapter unfolding, as we have pointed out, the ideas of the Sabbath and the festivals, are directly connected with those of the twenty-third, but have no affinity with the twenty-fourth chapter (see *supra* p. 488). To account for this

irregularity, Ebn Ezra has recourse to the Rabbinical principle, that "there is no strict sequence in the Law" (אין סדר קדוש), and he suggests, besides, that our section, though properly belonging to the laws of the "Book of the Covenant" (Exod. XX—XXIII), has been inserted in this place in order to connect it with the menaces of punishment in the next chapter (XXVI. 34, 35, 43); while modern apologists as precariously urge, that the thread by which this portion is joined with the preceding commands is "the unity of place", since it is marked as having also been revealed on Mount Sinai (*Ranke*, *Untersuchungen*, I. 109); but that unity is not complete; in some passages the communications are stated to have been made to Moses on Mount Sinai, in others from the Tabernacle; and it is difficult to harmonise the various statements on the subject (see *Comm. on Lev. I.* pp. 472, 474, 556, 557; the passages referred to are Exod. XIX. 3; XXIV. 16; XXXI. 18; XXXIV. 29, 32; Lev. I. 1; VII. 38; XXV. 1; XXVI. 46; XXVII. 34; Num. I. 1; III. 1; XII. 5). — It has been observed, that "the Sabbatical year and the Year of jubilee were distinguished by no religious ceremonies, were accompanied by no act of religious worship", and that "there were no sacrifices, nor holy convocations belonging to them"; and this circumstance has been assigned as a reason why our chapter was separated from the twenty-third (*Cook's Holy Bible*, Lev. p. 630): but either year was throughout and in itself one continuous act of religious worship, the one being altogether "a Sabbath to the Lord", the other "sanctified" for the recognition of His sole sovereignty (vers. 2, 4, 10); in the one, the land was withdrawn from its cosmic relations, in the other

the community renounced its usual social condition, in order to belong entirely to God; the repose of the soil, the restitution of fields, and the liberation of slaves, were truly "sacrifices"; and both institutions do not chiefly rest "on moral", but pre-eminently on religious grounds. — It has been contended that our law of the Sabbatical year arose partially from an erroneous interpretation of the commands in Exod. XXIII. 10, 11, the verbs *שָׁבַט* and *שָׁבַע* having been understood *to let the soil rest*, whereas they mean *to leave or to surrender*, and the suffixes in *שָׁבַטְךָ* and *שָׁבַעְךָ* having been referred to the land (*אֶרֶץ*), whereas they ought to be referred to its produce (*תְּבואָתְךָ*), so that the sense would be, that the Hebrews should during six years gather in the crops for themselves, but should in the seventh year leave them for the poor and the beasts (comp. *Hupfeld*, *De primitiva fector. apud Hebr. ratione*, III. 10, 11; *Graf*, *Geschichtl. Bücher*, p. 79). But it cannot be supposed that the legislator meant the proprietors to cultivate their land in the seventh year as usual, and then give over the produce to the needy and the animals (*ἀτοκον γὰρ ἦν*, observes Philo — *De Humanit. c.* 11 — *ἐτίπου; μὲν κομισίν, ἐτίπου; δὲ καρποθεταί*); and he distinctly states, "Six years thou shalt sow thy land," which implies that in the seventh it should not be sown, that is, it should enjoy "a Sabbath of rest". The idea of letting the soil lie fallow in the seventh year, seems to date from early times, and the advance later made in this respect was this that, at first, the custom was prompted by practical or humane motives, but that subsequently it was supported by spiritual principles (see *supra*). — The passage in Jeremiah above commented upon (XXXIV. 8—16) neither refers

to a Year of jubilee then already regularly kept, nor to one then first instituted; it mentions a special arrangement or "covenant" (*ברית*) entered into between king Zedekiah and the people of Jerusalem to proclaim "liberty" (*חֵירוּת*) to their Hebrew slaves; and the prophet relates: "Now, when all the princes and all the people who had concluded the covenant, heard that every one should let his man-servant, and every one his maid-servant, go free, that none should make them serve any more, then they obeyed and let them go" (*ibid.* ver. 10). If our law of the jubilee had existed in Zedekiah's time, no such exceptional agreement or pledge would have been required; nor would the masters have had the power to force back the dismissed servants into subjection, since these would have claimed their release as their legal right, and not as a favour capriciously to be granted or withdrawn. But we can well understand how such a precedent helped to settle the custom of periodically "proclaiming liberty" to the Hebrew slaves (ver. 10); and when Ezekiel also (XLVI. 16—18), in speaking of a "year of liberty", advocated a regular return of landed property to its original possessor, everything was prepared for the introduction of a Year of jubilee such as the levitical author delineated in harmony with his own peculiar theories of theocratic government. — Equally inconclusive are other passages which have been adduced to prove the earlier origin of the law of the Jubilee, as Isai. XXXVII. 30 and LXI. 1; or Ezek. I. 1; VII. 12, 13; XLVI. 16, 17; Ruth IV. 8; which passages it is impossible fully to discuss in this place, but none of which contains any distinct allusion to our subject (see *supra* p. 538; comp. *Ideler*, *Chronologie*, I. 536;

Hitzig in locc.; *Kranold*, De Anno Hebraeorum Jubileo, p. 80; *Ewald*, Alterth. pp. 388, 399, where the opinion is expressed that the law of the Year of jubilee "was, in earlier periods, carried out for centuries in the national life of the Israelites"; but that opinion, stated without a proof, is derived from the assumptions that that law forms part of the old "Book of *Origines*", and that it fell into disuse at the time of the Deuteronomist, after it had long before been enacted in Leviticus). — Jeremiah writes: "I made a covenant with your fathers . . . saying, At the end of seven years (שבע שנים), you shall let go every man his Hebrew brother who has been sold to thee; and when he has served thee six years (שש שנים), thou shalt let him go free from thee" (l. c. vers. 13, 14): the words "at the end of seven years" are at variance not only with the commands in Exodus (XXI. 2) and Deuteronomy (XV. 12), but more strangely still with the prophet's own explanation; yet they occur also in the law of the Deuteronomist on the release from debts, which indeed took place precisely "at the end of seven years" (Deut. XV. 1, שבע שנים; comp. XXXI. 10): considering the many fluctuations which the law of the "seventh year" underwent in the course of time, and how uncertain it still was in Jeremiah's own age, such an inaccuracy is not surprising. (The difference of terms in Deut. XIV. 28 and XXVI. 12 is not analogous to that alluded to.) — The passages describing God as the theocratic lord of the holy land and the holy people are numerous; the principal ones are these: *Canaan* is called "the land or soil of God" (ארץ יהוה, ארץ, ארץ, or ארץ יהוה, ארץ; Deut. XXXII. 43; Isai. XIV. 2, 25; Jer. II. 7; Ezek. XXXVI. 5, 20;

XXXVIII. 16; Hos. IX. 3; Ps. X. 16), or "His inheritance" (נחלתו, Jer. II. 7), or "possession" (אחזתו יהוה, Josh. XXII. 19; comp. Lev. XXV. 23 ארץ ליהוה; "the glory of all lands" (כבוד ליהוה, Ezek. XX. 6), upon which "His eye rests from the beginning of the year to the end of the year" (Deut. XII. 12), which "He espied" for the Israelites (ארץ אשר ראה, Ezek. XX. 6); "the land in which He dwells" (ארץ אשר יושב ביהוה); Num. XXXV. 34; Josh. XXII. 19), therefore the "holy soil" (ארץ הקודש, Zech. II. 16), or "His holy abode" (בית קדש; Exod. XV. 13, 17); "the land which He gave to the children of Israel as a possession" (ארץ אשר אני נתן); Exod. XX. 12; Lev. XIV. 34; XX. 24; XXIII. 10; XXV. 24; Num. XIII. 2; XV. 2; XXXII. 7, 11; XXXIII. 52—54; XXXIV. 2, 13; Deut. I. 8, 21; II. 29; III. 20; IV. 1, 10, 22, 38, 40; XXI. 4; XXVI. 1, 3; etc. etc.), which is, therefore, indeed temporarily "the land or soil of Israel" (ארץ ישראל or ארץ ישראל; 1 Sam. XIII. 19; Ezek. XI. 17; XII. 19, 22; XL. 2; 2 Chr. XXXIV. 7; etc.), and from which He removes them if they defile it by their iniquity (Num. XXXV. 33, 34; Deut. IV. 26; XI. 17; XXIV. 4; XXVIII. 63; XXIX. 27; Isai. XXIV. 6; Ezek. XXXVI. 17; Hos. IX. 3; Mich. II. 10).

Quite analogous are the designations of the *Israelites*. They are "the people of God" (עם יהוה, עמ, עמ; Exod. XV. 16; Num. XVII. 15; Deut. IX. 26, 29; XXXII. 36, 43; 1 Ki. VIII. 51; Ezek. XXXVI. 20; Ps. XXVIII. 9; CXXXV. 14), whom He "has chosen" (בחר) from all other nations, "loved above all" (אהב, אהב; Deut. IV. 37; VII. 6—8; XIV. 2; Ps. XXXIII. 12), and "brought to Himself" (Exod. XIX. 4, אהב אהב), but not on account

2. Speak to the children of Israel, and say to them, When you come into the land which I give you,

of their multitude, for they are "the fewest among all nations" (Deut. VII. 7), nor on account of their piety and righteousness, for their rebellion against God is incessant (Deut. IX. 4—8); they are "His inheritance" (נַחֲלָתוֹ, etc. Deut. IV. 20; IX. 26, 29; 1 Ki. VIII. 51, 53; Isai. XIX. 25; Ps. XXVIII. 9; XXXIII. 12) or His "property" (רְכָשׁוֹ; Exod. XIX. 5; Deut. VII. 6; XIV. 2; XXVI. 18), which "He has acquired" (רָכַשׁ, Exod. XV. 16); they are, therefore, on the one hand, "His servants" (עַבְדָּיו; Lev. XXV. 42, 55; Deut. XXXII. 36, 43; 1 Ki. VIII. 36; Ps. CXXXV. 14), and on the other hand, a "holy people" (עַמ־קֹדֶשׁ, Exod. XIX. 6; Deut. VII. 6; XIV. 2, 21; XXVI. 19; XXVIII. 9), whom "He has distinguished from all nations" (Lev. XX. 24, 26; 1 Ki. VIII. 53). — The other appellations of Israel occurring in the Old Testament, have been enumerated in the Comm. on Exod. p. 332, where the Hebrew theocracy also is briefly characterised.

2—7. The provisions of the Pentateuch with respect to the seventh year have before been considered in detail (comp. Comm. on Exod. pp. 448—452), and it will suffice in a few words to point out again that the ordinances of Exodus, Deuteronomy, and Leviticus represent three different aspects of the institution — the first viewing it as a measure of agriculture, or of humanity in connection with the land, the second as one of consideration in reference to debtors, and the third as a solemn duty of religion: in the first respect it is merely a year of "surrendering and giving over" (נָתַן and נָתַת), in the second

"a year of Release" (שָׁנַת עֲרֻךְ), but in the third a "Sabbath of rest" (שָׁנַת מִנוּחַ) or "a Sabbath to the Lord" (שָׁנַת מִנוּחַ לַיהוָה; comp. vers. 2, 4; Exod. XXIII. 11; Deut. XV. 2). Neither the law of Exodus nor our portion makes any allusion to remission of debts, because when "the Book of the Covenant" was compiled, the enactment of Deuteronomy was not yet framed or acknowledged, and at the time of the levitical legislator it had again been abandoned (see on ver. 1). Therefore, what at first glance might appear a great discrepancy, is in reality the organic development of an arrangement proposed, tested by experience, and exchanged for another which promised to be more practical. Our author indeed makes no reference to the public recital of the Law recommended in Deuteronomy, but it accorded well with the sacred and spiritual character attributed by him to the seventh year, which, though a time of rest, was not to be spent in idleness, as heathen historians tauntingly observed (*Tacit. Hist. V. 4*), but was to be zealously devoted to intellectual and religious training. With regard to the spontaneous growth of the Sabbatical year, he was less exacting than his predecessor, the compiler of the fundamental laws embodied in Exodus; for while he permitted a share of the free produce of fields and vineyards to their proprietors with their households and dependents (ver. 6), the earlier writer assigned the whole to the "needy of the people" and to the beasts, and expressly included in his law the olive gardens (Exod. XXIII. 11): thus, whereas he refined the institution by an

the land shall keep a Sabbath to the Lord. 3. Six years thou shalt sow thy field, and six years thou

idealism unknown before, he was compelled to relax its practical demands, because in his time of limited prosperity even proprietors could not bear great burdens; and their harvests were probably in many cases not large enough to enable them periodically to forego all increase. — The Rabbins, in expounding our law, decided that the owner is allowed to bring home from the field only a little at a time, just as all others, but not more than is necessary for his immediate wants (comp. ver. 12, *לֹא יִסְתַּחֲסֵם מִן הַשָּׂדֶה*), and that he commits a grave offence, unfitting him to be a witness, if he sells the fruits beforehand or during the year. As may be imagined, they fully worked out those Biblical commands which make the seventh year "a Sabbath of rest", and which are indeed emphatic (comp. ver. 4); they declared them obligatory in the Holy Land, whether in the times of the Temple or after its destruction, and extended them, with modifications, to some neighbouring countries; they interdicted — according to some also to strangers — any agricultural labour whatever, even if its object is not to secure crops in the same year, such as digging, ploughing, removing stones, or manuring, planting or grafting trees; in fact, in their zeal they went so far as to forbid the Hebrews "to eat any portion of the spontaneous produce, because, if this were allowed, many would secretly sow, and declare the crops to be spontaneous produce"; thus, as in other instances, in their anxiety to "fence round" the Law, they annulled it; and with respect to the

seventh year, they besides destroyed its character as a "Year of release" from debts by introducing the *Prosbol* above referred to, and by several other devices. Some High-priests, as John Hyrcanus, seem to have insisted that the Jews should in the Sabbath-year rest from warfare (*Jos. Ant. XIII. viii. 1; Bell. Jud. I. ii. 4*), but their example was not frequently followed (comp. *Mishn. Sheviith X. 1—9; Talm. Gitt. 36, 37; Sanh. 24b; Macc. 3; Shevuoth 48; Geiger, Lese-stücke aus der Mischnah, pp. 4, 77; Saalschütz, Mos. Recht, p. 164; see also Maimon. Hilch. Sheviith and Shemittah*).

It cannot be doubted that the Sabbatical year began in the seventh month, or in the autumn; its commencement in the first month (*Abib*), or in the spring, would have greatly increased the loss and inconvenience it occasioned, without in the least promoting its charitable or religious objects; for the people would in the preceding autumn hardly have cultivated their lands, or sown seeds the crops of which they were not to enjoy; and as they were not permitted to perform agricultural labours in the autumn of the Sabbatical year, they would have been without harvests for two years more, which no legislator, however enthusiastic, could have ventured to propose: the Sabbatical year was evidently meant to entail the sacrifice of one crop and no more. Besides, the public reading of the Law on the Feast of Tabernacles in every seventh year, and the analogy of the Jubilee, which was proclaimed on the Day of Atonement (ver. 9), prove that the Sabbatical year was counted

shalt prune thy vineyard, and gather in its fruit;
4. But in the seventh year shall be a Sabbath of

from autumn to autumn, and was probably also heralded in on the tenth day of the seventh month, since the Jubilee was immediately to follow each seventh Year of release (comp. vers. 21, 22; see also *Talm. Rosh Hash. 2^a, 8^b*).

It is well known, that in fertile countries the spontaneous growth (תִּרְוָה) of fields is often so abundant that two or even three harvests are obtained from one sowing; this was the case in Numidia, Albania, and Hyrcania; and is still usual in many districts of Palestine, as in the highlands of Galilee and in the valley near Bethlehem (Wadi Urtas), the "Gardens of Solomon", where the corn sows itself from the ripe ears, and grows without cultivation of the soil, twenty ears of barley and thirty of oats from one grain, and especially in the most beautiful and most fertile plains of Jezreel, which are "like fields of corn sown by no human hand, cut by no reaper"; and there the wheat grows of itself so high that mules are nearly concealed in the ears. Well, therefore, might the legislator ordain, "The Sabbath of the land shall be food for you; for thee, and for thy servant, and for thy maid, and for thy hired servant, and for thy sojourner that dwells with thee, and for thy cattle, and for thy beasts" (vers. 6, 7); though of course, the main sustenance in the Sabbatical year was derived from the stores of preceding harvests (vers. 20—22; comp. 2 Ki. XIX. 29; Isai. XXXVII. 30; *Hom. Od. IX. 109; Strab. XL iv. 3, p. 502; Schubert, Reise, III. 115, 166, 201; Ritter, Erdkunde, XVI. 283, 482, 693*).

The principal object of the Sabbatical year, at least in the eyes of

the levitical legislator, was not its economic usefulness in invigorating the soil, or any other of the many material advantages which have been attributed to it (see *infra* Phil. Rem.), but its spiritual significance as a general Sabbath devoted to God; for as the week is a complete cycle for the labour of man, so is the year for the cultivation and produce of the land; and man was to rest every seventh day, and the land every seventh year, in order that, by sacrificing one day's labour and one year's produce, the Israelite might express his gratitude to the mercy of God who blesses his works, and who sustains him during the temporary suspension of his efforts. He was to be reminded that the treasures of the earth were indeed created for the benefit of man, but that he should not use them selfishly and greedily; and on the other hand, that the soil had indeed been laden with God's curse, but that His bounty gives abundance and grants respite from wearying toil. Who will assert that these and similar abstract ideas, which underlie the Sabbatical year, were conceived in the early Mosaic age, or could be profitably conveyed to the untutored people who meant to worship their Deliverer by dancing round the golden image of a calf?

The views of Philo, who gives the oldest comment of our laws, may be briefly stated. Moses thought the number seven, he observes, worthy of such reverence being "the pure and ever virgin number" (ἀγίος καὶ δὲ κατ'ἑῷ), that he ordained in every seventh year the remission of debts in order "to assist the poor, and train the rich to humanity"; he commanded that then the people should

rest to the land, a Sabbath to the Lord; thou shalt not sow thy field, nor prune thy vineyard. 5. That which

leave the land fallow and untilled, and "deliberately let slip out of their hands certain and valuable revenues", in order to teach them not to be "wholly devoted to gain, but even willingly to submit to some loss," and thus to prepare them to bear patiently any mischance or calamity; he desired, moreover, to intimate that it was sinful to weigh down and oppress man with burdens, since even the earth which has no feelings of pleasure or of pain, was to enjoy a period of relaxation; and that all benefits bestowed upon our fellow-men are sure to meet with reward and requital, since even the inanimate earth, after having been allowed to rest for one year, gratefully returns this favour by producing in the next years much larger crops than usual; just as athletes, by alternating recreation and exertion "as with a well-regulated harmony", greatly enhance their strength, and are at last able to perform wonders of endurance; or as nature has wisely ordained man to work and to sleep by turns, that he may not be worn out by toil. But the lawgiver's chief object was "humanity, which he thought fit to weave in with every part of his legislation, stamping on all who study the holy Scriptures a sociable and humane disposition". With this view he "raised the poor from their apparent lowly condition, and freed them from the reproach of being beggars", by "appointing times when, as if they had been deriving a revenue from their own properties, they find themselves in the possession of plenty, being suddenly enriched by the gift of God, who has invited them to share with the possessors themselves in the number of the

sacred seven" (*Philo*, *De Septen.* cc. 8—12; comp. *De Human.* c. 11). In these remarks the charitable and moral motives of the Sabbatical year are admirably, but its theocratic tendencies imperfectly unfolded; nor can *Philo* be expected to appreciate the gradual development manifest in the various Books of the Pentateuch: in the law of Leviticus charity is no more than an incidental and subordinate object. Not very different is the view taken by one of the most recent Biblical scholars. "The field also", observes Ewald (*Alterth.* p. 378), "has its Divinely appointed right to enjoy a necessary and therefore Divine measure of rest and recreation; the field also must not always feel man's eagerness for work and gain ... The land gives every year its fruits like a debt paid to man and due to him for the pains he bestows upon it; but as, at times, debts are not exacted from human debtors, so man must allow the land to lie fallow in the proper time, without exacting from it a debt" (comp. also *Job XXXI.* 38, 39). *Josephus* merely observes, "Moses accorded to the land of the Hebrews rest from ploughing and planting every seventh year, just as he had prescribed to them to rest from working every seventh day; and he ordered, that what then grew of its own accord out of the earth, should in common belong to all who pleased to use it, making no distinction in that respect between their own countrymen and foreigners" (*Ant.* III. xii. 3). He mentions indeed the release from debt, not, however, as having taken place in the Sabbatical year, but in the Year of jubilee: this deviation from a plain Biblical command may be accounted for by the

grows of its own accord out of thy harvest thou shalt not reap, neither gather the grapes of thy undressed vine: it shall be a year of rest to the land. 6. And the Sabbath of the land shall be food for you; for

circumstance that, in his time, this command was not acted upon, and was soon superseded by the arrangement of the *Prosbul*.

As regards the history of the Sabbatical year, it is only necessary to add (see p. 535) that, in the time of Alexander the Great, it seems to have been an established and faithfully observed institution; that king is said to have remitted the tribute to the Jews and Samaritans in every seventh year, "because then they did not sow their fields" (*Jos. Ant.* XI. viii. 6); and Caesar granted the same privilege to nearly the whole country, "because the people neither received the fruits of their trees nor did they sow their lands" (*XIV.* x. 6); yet later and less considerate proconsuls rigorously exacted the impost without intermission, so that Rabbi Janai, in the time of Severus, found it necessary to allow the cultivation of the land in the Sabbatical year also (*Talm. Sanh.* 26^b). — In later times it was customary to use the Sabbatical cycle as a chronological era (comp. *Talm. Pesach.* 86^a; *Kiddush.* 71^a; etc.). — It is well known that Jewish agriculturists in Palestine and the neighbouring countries still keep the Sabbatical year much in the manner prescribed by the Pentateuch, in spite of the disadvantages which it involves. They reckon from seven to seven years without taking the Jubilee into account; and after many controversies and speculations they have agreed upon fixing a certain date, so that the last Sabbatical year they kept was in *Ann. Mund.* 5628, corresponding to the Christian year 1867—8,

and the next will take place in *Ann. Mund.* 5635, or 1874—5 (see *infra* on vers. 8—18).

The idea of allowing the land to rest in honour of God, or as a sacrifice made to "His people, the poor" (*Exod.* XXII. 24), has an analogy in the Greek usage of keeping round the temples uncultivated fields and meadows dedicated to the deities (*ἀναιμένα* or *ἀνεία*; comp. *Aeschin.* *Ctesiph.* §§ 107—118, cc. 33—35, *ὅπου ἄμωσαν ἰσχυρὸν μήτ' αὐτοὶ τὴν ἱερὰν γῆν ἐργάσασθαι μήτ' ἄλλω ἐπιτρέψειν κτλ.*; *Spanheim* ad *Callimach. Hymn.* in *Cer.* 47, etc.).

PHILOLOGICAL REMARKS. — Among the material advantages that have been attributed to the Sabbatical year are these: it was intended to strengthen men and beasts by a longer period of rest; to restrain commerce and friendly intercourse with the neighbouring heathen tribes; to encourage occupations other than agricultural, such as trades and all kinds of handicraft; to prevent famine by accustoming the Hebrews to store up their provisions; to promote the chase, or to aid in the manure by allowing the cattle freely to graze on the fields. These and similar devices of cold calculation little harmonise with the enthusiastic promise of a supernatural blessing to be accorded to the Hebrews to counterbalance the losses of the seventh year (vers. 20—22, see notes *in loc.*). Yet they are not more objectionable than mystic or typical speculations like these: "The Sabbatical year points forward to a time when the whole creation shall be re-

thee, and for thy servant, and for thy maid, and for thy hired servant, and for thy sojourner that dwells with thee; 7. And for thy cattle, and for the beasts that *are* in thy land, shall all its produce be food.

leased from 'the bondage of corruption'" (Rom. VIII. 21; *Öhler* l. c. p. 211); which speculations have been extended, with increased eagerness, to the Year of jubilee, which, it is asserted, was designed "to give a foretaste of that blissful time which men will enjoy in the Divine presence after the coming of the anointed of the Lord" (*Keil*, Lev. p. 156; *Archäol.* I. 378); or to serve "as a type of the Messianic time of salvation when, after the perfect victory of the Divine kingdom, the discord of all worldly affairs shall be dissolved into the harmony of a Divine life, and when, with 'the rest of the people of God' (Hebr. IV. 9), the annals of history will close" (*Öhler*, l. c.; comp. also *Cook's Holy Bible*, p. 637). — "The earth shall keep a Sabbath to the Lord" (Lev. 25, ver. 2), that is, by absolutely resting and being withdrawn from the labour of men, the land shall strikingly appear as belonging to God; moreover, keeping rest, because involving a sacrifice of gain and profit, is in itself regarded as an offering acceptable to God. Rashi explains simply *למנוחה*, but Ebn Ezra mystically, "the rest shall be like that of the Sabbath-day, and this passage hints at the secrets of eternity". — *למנוחה* to keep a Sabbath; comp. XXIII. 32. — The suffix in *למנוחה* (ver. 3) refers to *למנוחה* (in ver. 2), which comprises both *למנוחה* and *למנוחה*. The latter term may include olive-gardens also (see on XIX. 10, p. 410), which are specially mentioned in the corresponding law of Exodus (XXIII. 11, *למנוחה* *למנוחה* *למנוחה*); although *למנוחה* seems chiefly

to apply to the pruning of the *vine* (Isai. V. 6; comp. *למנוחה* vine-branch, Num. XIII. 23). — In the seventh year the earth shall have "complete rest" or *למנוחה* *למנוחה*, on which term see p. 492. — *למנוחה* (ver. 5 from *למנוחה* in the general sense of pouring out or falling out) is properly *that which falls out*, that is, the produce springing up from the grains and seeds which fall out from the ears and fruits at harvest time, or the spontaneous growth; Sept. aptly *ἀτρόματα ἀναβαλόντα τοῦ ἔργου σου*, Vulg. *quae sponte gignet humus*, Kimchi *למנוחה* *למנוחה* *למנוחה*, Luther was von selber nach deiner Erndte wächst, a. o.; similarly Onk. *למנוחה* (aftergrowth), Jonath. *למנוחה* *למנוחה* *למנוחה* (the aftergrowth of that which has been left behind), etc. — As the *למנוחה* was not permitted to cut his hair (Num. VI. 5), that word was figuratively employed for the *unpruned* vine, or for that which was left untouched in every seventh and every fiftieth year; the vine was the more fitly called "a Nazarite", as the leaves and branches of trees were often compared with the human hair (see p. 456; *Tibull.* I. vii. 34, *Hic viridem dura caedere falce comam*; *Caesull.* IV. 11, *comata silva*; *Ovid. Amor.* III. x. 12, etc.); similar metaphors are not uncommon in Hebrew, as *למנוחה* the "uncircumcised" fruit (see p. 425); *למנוחה* *למנוחה* (*Talm.* Nidd. 8^b) "the virginity of the sycamore", that is, a sycamore the branches of which have never been clipped. Yet this use of *למנוחה*, which properly means "one separated", can only have originated at a later time, when the laws and habits of the Nazarite had

8. And thou shalt number seven year-weeks to thee, seven times seven years; so that the time of the

become fully familiar to the people. The ancient versions are here less happy than with respect to the preceding term; the Sept. renders ἡμέρην ἑπταετηρίαν τοῦ ἀγροῦ, thus introducing a foreign notion; the Vulg. still more inaccurately uvas primitiarum tuarum; Onkel. ענבי שְׁנֵי שָׁנִים the grapes of thy shoots; Jon. ענבי שְׁנֵי שָׁנִים the grapes of your twigs, and in ver. 11 ענבי שְׁנֵי שָׁנִים. Rashi explains (on vers. 5 and 11), "thou shalt not gather the grapes from which thou hast separated (הִתְיַחֵד) and secluded other people, and which thou hast not declared common property; but from the vines which thou hast pronounced free, thou mayest gather"; which distinction is not intended in our context; and Kimchi, "the grapes from which thou hast kept aloof, and to which thou hast devoted no labour". — On the *dagesh forte euphonicum* in עֲנָבִי see Gramm. § V. 6^b. — עֲנָבִי הָאֵץ (ver. 6) is literally, "and the Sabbath of the land shall be food for you", that is, by a double metonymy, that which the land produces in its year of rest shall serve you for sustenance, so that עֲנָבִי הָאֵץ nearly coincides in sense with עֲנָבִי הָאֵץ, although the former term is meant once more to point out the sacred character of the seventh year. Jewish tradition includes the pagans also in the "hired servant and sojourner", and explains the עֲנָבִי to be one who has pledged himself to abstain from idolatry and from eating unlawful food (עֲנָבִי; comp. *Siphra* and *Rashi* in loc.). — עֲנָבִי domesticated cattle, עֲנָבִי the free beasts of the field and forest; see Comm. on Lev. I. p. 78. — On the divergence of vers. 6, 7 from Exod. XXIII. 11, see *supra* p. 535; comp. *Hupfeld*, l. c. III.

p. 13; *Knob.* Levit. p. 561; *Ohler*, in Herzog's Real-Encyclop. XIII. 205; *Keil*, Levit. p. 148.

8—13. No arrangement could have more strongly impressed the importance, the sacredness, and the true nature of the Year of jubilee, than its proclamation on the Day of Atonement. As this was the latest and most solemn of Hebrew festivals, so was the Jubilee the latest and grandest of all theocratic institutions; the one restored the proper relations between God and the Hebrews as His *holy* people, the latter renewed the primitive bond between God and the Hebrews as a *free* nation, subject only to His sovereignty; as in the one case the disturbing effects of sin were removed, so in the other were the differences caused by the changes and misfortunes of life annulled; the one aimed at inward harmony, the other at the complete equilibrium between all the citizens of the commonwealth both in their personal relations and in their possessions; after the one, the moral and spiritual, after the other the material life of the nation was to make a new beginning. True liberty is only possible to the pure of heart, or after forgiveness of sins; and the "year of grace" (עֲנָבִי, עֲנָבִי, Is. LXI. 21) commenced on the Day of Atonement. The analogies are striking, and they afford another proof of the thoughtful combinations to which the final ordinances of the Hebrews owe their existence.

But there is not a single trace that the Year of jubilee was ever kept; it is never mentioned in the historical Books of the Old Testament; it was never employed as a

seven year-weeks shall be to thee forty-nine years.
9. Then shalt thou let the blast of the trumpet sound

chronological epoch for which it would have been admirably adapted; and Talmudical and Rabbinical writers, living after the dispersion of the Jews, have nothing to offer but conflicting and hazardous conjectures. They contend that the periods of the Jubilee as well as of the Sabbatical year were counted from the time when, after the conquest of Canaan, the land had been distributed by Joshua, which they believe was accomplished in the fourteenth year after the Israelites' passage over the Jordan, the conquest lasting seven years, and the distribution as long, so that the first Sabbatical year was kept in the twenty-first, the first Jubilee in the sixty-fourth year after their entrance into western Canaan (comp. *Siphra* fol. 106^b, Behar c. 2; *Seder Olam* c. 11; *Talm. Zevach.* 118^b; *Erach.* 12^b, 13^a). Christian scholars assert, on no more solid grounds, that both cycles were reckoned from the time of the crossing of the Jordan, so that the first Sabbath-year was celebrated in the forty-seventh year after the exodus from Egypt (so Torniellus, Salianus, Des Vignoles, a.o.); or from the completion of the conquest, so that the first Sabbatical year took place in the fifty-fourth year after the exodus (so Scaliger, Petavius, Franck, a.o.). Moreover, according to Rabbinical authorities, the computation of the Sabbatical year and the Year of jubilee was several times interrupted by national calamities; for the Jubilee ceased to be kept after the abduction of the East-jordanic tribes into the Assyrian captivity, since the law applied only to the time when each tribe lived in its own appointed districts (comp. ver.

10, לבל יחזיקו; see *Siphra* l. c. and c. 3; *Talm. Erach.* 32^b; *Maimon.* l. c. X. 8); it was revived in the reign of king Josiah when, it is alleged, the exiled tribes were partially brought back by Jeremiah; thirty six years before the destruction of the first Temple (about 624; comp. *Seder Olam* c. 24; *Talm. Megill.* 14^b); after which catastrophe it was finally discontinued, since during the time of the second Temple the tribal organisation was completely altered (comp. *Talm. Gitt.* 36^a); yet before the exile, the Years of jubilee, even when not celebrated, were counted, as this was necessary for preserving the unbroken continuity of the Sabbatical periods; while during the exile both the celebration and the counting were suspended (*Talm. Erach.* 12^b, 13^a, 32^b, רבי ריבליה לקיט שטתן; *Seder Olam* c. 30). As regards the Sabbatical years, Talmudical teachers suppose that they were resumed in Ezra's time, but the Rabbins are so unreliable on the subject that they make the return of the exiles under Zerubbabel and the arrival of Ezra in Jerusalem almost contemporary events; they are not sure whether the counting of the Sabbatical periods was formally recommenced from the time when the foundation stone of the new Temple was laid, or six years later; and they derive their results from the most uncertain premises (comp. *Seder Olam* c. 30; *Talm. Erach.* 11^b, 12^b; *Maimon.* Shemitt. X. 3; other opinions or rather conjectures see *Zuckerm.* l. c. pp. 29, 30, 38). — Philo merely repeats the Biblical injunctions without adding a new feature, or alluding to any instance of actual celebration; and Josephus

in the seventh month, on the tenth *day* of the month, on the Day of Atonement shall you let the trumpet

strangely mixes up the Biblical ordinances of the Sabbatical year with those of the Jubilee, referring to the latter the exemption from debt; and he describes the mode of the restitution of lands in a manner which proves that he had reflected on the meaning, but that he had not witnessed the execution, of the law (comp. *Philo*, *De Septenar.* c. 13; *Jos. Ant.* XIII. xii. 3; see *infra* on vers. 14—17). But we have an interesting proof, which seems to be decisive on the subject. The passages above quoted from the first Book of the Maccabees (VL 20, 49, 53; XVI. 14—16) and from the Antiquities of Josephus (XII. ix. 6; XIII. viii. 1; XIV. xvi. 2; XV. i. 2) show that the 149th, the 177th, and 275th year of the Seleucidic era (B. C. 163, 135 and 37) were Sabbatical years. Now between the second and the third date an interval elapsed of 98 years, or of just 14 Sabbatical periods; within this time once, if not twice, a Year of jubilee should have been kept, so that not the year 275, but 276 or 277 would be a Sabbatical year: but the fact, that the 275th year was a Sabbatical year proves that the Jubilee was *not* observed. The Year of jubilee was the result of a noble theory, but it appeared utterly impracticable even to generations that patiently submitted to the anomalies and inconveniences of the Sabbatical year. According to a tradition of Jewish Rabbis (the Geonim), the 1486th year of the Seleucidic era (A. C. 1174) was also a Sabbatical year, which agrees with the dates just referred to, for between the 275th and the 1486th year intervene 1211 years, or just 173 Sabbatical cycles; and according to

another tradition the destruction of the second Temple (A. C. 70) took place in the first year of a Sabbatical cycle, which is likewise probable, since that event occurred in the 381st year of the Seleucidic era, or 15 full cycles and one year after the 275th year (comp. *Talm. Avod. Zar.* 9^b; *Maimonid.* *Shemitt.* X. 4—6; *Zuckerm.* l. c. pp. 30—37). The combinations of a recent critic (Hitzig), who arrives at the result that "the author of the law of the Jubilee in Leviticus was king Jehoshaphat of Judah", and that he kept the first Jubilee in the third year of his reign (B. C. 912), because his starting point was the dedication of the Temple by Solomon exactly a hundred years before (B. C. 1012), are fairly bewildering by their boldness which, it must be owned, almost borders on recklessness.

That the Jubilee was instituted for every fiftieth, not every forty-ninth year, is not only plainly stated in our law (ver. 11), but follows from its very character; it was not to supersede and to replace, but to supplement the Sabbatical year: when the doubly holy cycle of seven times seven years had fully elapsed, and the land had kept a Sabbath to the Lord seven times, the great period of renewal and restoration was to follow; just as the Feast of Weeks was to be kept on the fiftieth day from the agricultural celebration of Passover, after the completion of seven full weeks (see *supra* p. 500). If the Jubilee were meant to coincide with the seventh Sabbatical year, the interdiction not to sow and not to reap in the Jubilee would be a superfluous repetition (ver. 11; comp. *Rashi* in

sound throughout all your land. 10. And you shall hallow the fiftieth year, and proclaim liberty in the land

loc.). The number fifty, or half of the great numerical period of hundred, occurs in various ancient narratives: there were fifty daughters of Thespius, and fifty daughters of Danaus; forty - nine both of the former and the latter succumbed to the temptations of vice and crime; while the fiftieth shone by virtue and heroism (comp. *Diod. Sic.* IV. 29; *Pausan.* IX. xxvii. 3; *Apollod.* II. i. 4; vii. 8). It is certainly unnecessary to adopt the speculations of Philo who calls the number fifty "the most holy and natural number, being compounded of the power of the right-angled triangle, which is the principle of the origin and condition of all things" (*De Vit. Contempl.* c. 8, ἀγνῶτατος καὶ φυσικώτατος ἀριθμὸν πτλ.).

It would probably be erroneous to attribute to the Year of jubilee predominantly a character of exultation; it was indeed a glorious time when the word "Liberty" resounded through the length and breadth of the land; and many hearts must have thrilled with gladness when the joyous message was heard, "You shall return every one to his possession, and you shall return every one to his family": but liberty was only to remind the released that they were God's servants, and those who went back to their property were to be made aware that the whole land belonged to God. Not a feeling of exuberant delight, but of a higher responsibility and dignity was to fill the mind of the Hebrew; for he was to remember that his deliverance from an earthly master brought him again under the more immediate dominion of his heavenly Lord, to whose worship and service he must devote his freedom. There-

fore the law is introduced by these words, "*And you shall hallow* (קדשתי) the fiftieth year" (ver. 10), just as the Sabbath-day was to be "hallowed" (*Exod.* XX. 8); and the legislator adds, "The Jubilee shall be *holy* to you (קדש, ver. 12). The blowing of the trumpet which ushered in the Jubilee, was not intended to represent or to swell the joyful shouts of redeemed slaves and enriched paupers; it was a sacred and solemn "memorial", like the blasts of the first day of the religious year; but while the latter were meant to bring the Hebrews into merciful remembrance of God, those which announced the Jubilee were to remind the Hebrews themselves of their duties towards God; it was a signal of admonition calculated to rouse their energy, and to impress upon them that they were about to enter a period of no ordinary importance.

The Jubilee was, of course, with respect to agriculture, a complete Sabbatical year; and the universal rest throughout its duration was designed to give additional solemnity to the two worldly measures—the reversion of fields, and the liberation of servants—, and to stamp both with a religious character.

PHILOLOGICAL REMARKS. — The various opinions, and the decisions of the Rabbins, respecting the duration of the Jubilee period, are briefly as follows. (1.) The Jubilee was observed every fiftieth year: so justly Philo in various passages (*De Septen. Op.* II. 287, 289, 290) and Josephus (*Ant.* III. xii. 3, καλεῖται δὲ ὑπὸ Ἑβραίων ὁ πεντηκостὸς ἐνιαυτός Ἰδβηλοῖ), the Talmud and most of the later Jewish authorities (comp. *Maimon.* Hilch. Schemittah Vejovel

to all its inhabitants: it shall be a jubilee to you; and you shall return every one to his possession, and you

X. 1; a. o.; see *Salianus*, Ann. Eccl. II. 160; *Des Vignoles*, Chronologie de l'Histoire sainte, I. 699). — (2.) The Jubilee was kept every forty-ninth year; so first Bishop Isidorus Hispalensis (*De Mundo* c. 6), and after him many chronologers, as Scaliger and Usher, Patavius and Calvisius, Strauch, Des Vignoles, Gatterer, and Franck (comp. *Zuckermann*, Ueber Sabbathjahrcyclus und Jubelperiode, p. 7). — From this difference of views follows another, viz. (3.) The forty-ninth year is the seventh Sabbatical year, the fiftieth the Jubilee, — and the fifty-first the beginning of the new cycle or of the new Sabbatical period; so — no doubt in accordance with the meaning of the Bible — the Talmud and the Rabbins (comp. *Siphra* l. c. Behar cc. 3, 4; *Seder Olam* l. c.; *Talm. Nedar.* 61^a; *Maimon.* l. c. X. 7), and a few later scholars (as *Reland*, Ant. Sacr. pp. 903—905); and (4.) The fiftieth year is both the Jubilee and the first year of the new cycle, and does not, therefore, interrupt the continuity of the Sabbatical periods; so Rabbi Jehudah living in the later part of the second century (*Talm. Nedar.* 61^a; *Erach.* 12^b, 13^a, 32^b, 33^a); he says, *הכל עולה לזמן* “the Jubilee is counted with the years of the next Sabbatical period”, and *הכל יורד לזמן* “the fiftieth year is counted both upwards and downwards”, that is, both as the Jubilee and as the first year of the new cycle of Sabbatical years; he was long almost singular in this opinion, to which other Jewish doctors objected that thus the first Sabbatical period after the Jubilee would only include five harvests, and not six, as is intended by the Bible; but he has recently found some learned adherents,

who believe that “the cycle of the Jubilee is astronomical, and the foundation of all chronology” (Franck), since “it was devised effectually and strikingly to harmonise the solar and the lunar year”; and this, it is supposed, can best be achieved by adopting a cycle of forty-nine years, in accordance with Rabbi Jehuda's theory (comp. *Rosenm.* Schol. on ver. 10; *Zuckermann*, l. c. pp. 14—16): that the Biblical author had no such chronological objects in view, may be regarded as unquestionable. The deductions above made from the first Book of the Maccabees and the Antiquities of Josephus (p. 550) would indeed go far to prove that, at least in the centuries just preceding the Christian era, a cycle of forty nine years was supposed to have been prescribed, if there were any historical evidence that a Year of jubilee was at all observed. — (5.) The forty-ninth year is both a Sabbatical year and a Jubilee, the fiftieth the first of the new cycles; so Scaliger, Patavius, Gatterer, Franck, a. o. — (6.) The forty-ninth year is the seventh Sabbatical year, the fiftieth the Jubilee, and at the same time the first of the following Sabbatical period, so that both cycles run side by side, and without reference to each other; so Salianus, a Catholic scholar, defending his conjectures in a spirit of opposition against Protestants who, as he supposed, invariably considered the forty-ninth, not the fiftieth year, as the Jubilee. — Some other opinions either quite fanciful or plainly in contradiction to the Biblical statements, need not be adduced (f. i. *F. W. Beer*, *Erläuterung der alten Zeitrechnung*; *Ewald*, *Alterth.* p. 385; a. o.) — “The blast of the horns, by which the Ju-

shall return every man to his family. 11. A jubilee shall that fiftieth year be to you; you shall not sow,

bilee was announced to the people, was nothing else than the interpreter of public joy", observes Gesenius (*Thes.* p. 562), and a similar view has been taken by many other scholars (*Wolde*, *De Anno Hebraeorum Jubilaeo*, p. 20, *annus gaudio atque hilaritate insignis*; *Ewald*, *Alterth.* p. 383, "lauteste Freudenschälle"; Knobel speaks of "muntere Hörersignale", or "das funfzigste Jahr soll eine Zeit frohen Lärmens, fröhlichen Jubels für euch sein"); but it seems hardly justified by the nature of the year, as we have above pointed out; the translations of *שנת ה'ה'ה'ה'* by *annus jubilaei*, "Year of jubilee", or "Jubeljahr", are, therefore, apt to suggest erroneous notions; and a rendering like "Halljahr" or "Year of trumpet sound", adopted by Luther and others, would be preferable. In *Exod.* XIX. 13 the words *שנת ה'ה'ה'ה'* certainly do not involve joy and hilarity.—Literally interpreting the words of our command, the Rabbins declared that it devolved upon the great Sanhedrin publicly to count the seven years seven times; then, on the next New-year's day, to declare the year holy (ver. 10); and lastly, on the Day of Atonement, to blow with the trumpet nine blasts, which, however, were to be sounded by every individual Hebrew also; then only the privileges conferred by the Law were to be enjoyed (see notes on XXIII. 23—25; comp. *Talm.* *Bosh Hash.* 5^a, 8^b, 9, 20, 26; *Kiddush.* 38^b; *Maimon.* *Hilch. Schemittah* c. 10). In their opinion, fields given away were subjected to the same law as fields sold by the proprietors (comp. *Ezek.* XLVI. 17); but not so the lands which had passed into another family through the marriage of an heiress; these remain in

the possession of that family (comp. *Num.* XXXVI. 4; see *Mishn.* *Bechor.* VIII. 10; *Maimon.* *Hilch. Scheviith*, XI. 10). The years of the Sabbatical and the Jubilee periods were to be counted from the Day of Atonement, which in Palestine so nearly coincides with the end of the agricultural year (*שנת ה'ה'ה'ה'*, *Exod.* XXIII. 16; XXXIV. 22), that its choice as a starting point, while greatly increasing the solemnity of the ordinance, in no matter added to the practical difficulties of its execution. Jewish tradition counted the beginning of both cycles from the *first* day of the seventh month (Tishri), or from New-Year, though they admitted that in both cases, it was only announced on the tenth day of the month (comp. *Siphra* l. c., *Behar* cc. 1—3; *Talm.* *Bosh Hash.* 2, 8^b). A modern critic, however, boldly proposes the alteration of *שנת ה'ה'ה'ה'* (in ver. 9) into *שנה* (*Hupfeld*, l. c. p. 20). — *שנה שנה שנה* (ver. 8) is literally "weeks of years" or year-weeks, that is, cycles of seven years, *שנה שנה שנה* being explained in our text by *שנה שנה שנה*; hence *שנה שנה שנה* is forty nine years, and *שנה* is placed before these words as the general expression of time (comp. *Gen.* XLVII. 8, 9, "the time of the years of thy life"), as it is also placed pleonastically after the exact period, and then of course in the absolute state, as *שנה שנה* two years' time, *שנה שנה* a month's time, *שנה שנה שנה* three weeks' time; etc.; *Gen.* XXIX. 14; *XXI.* 1; *Deut.* XXI. 13; *1 Ki.* II. 1; *Dan.* X. 2, 3; etc. (see on XXIII. 15, p. 503). The expression year-week for seven years occurs also in Roman writers, as *Gell.* III. 10 fin, *se jam duodecimam aunorum hebdomadam ingressum esse, et ad eum*

nor reap that which grows of itself in it, nor gather the grapes in it of your undressed vine. 12. For it is

diem septuaginta hebdomadas librorum conscripsisse; *Censorin.* De Die Nat. c. 14; comp. also *Aristot.* Polit. VII. 15, οἱ γὰρ ταῖς ἑβδομάδι διαpeύντες τὰς ἡλικίας. — תְּרֹפֶה תִּפְּחֶה (ver. 9) is literally "the trumpet of loud sound", that is, the loud sounding trumpet; similarly we find תְּרֹפֶה תִּפְּחֶה (Num. XXXI. 6; 2 Chr. XIII. 12), and תְּרֹפֶה תִּפְּחֶה the loud sounding cymbals (Ps. CL. 5); and תְּרֹפֶה תִּפְּחֶה being nearly synonymous with תְּרֹפֶה תִּפְּחֶה, we have also תְּרֹפֶה תִּפְּחֶה in the same sense (Ps. l. c.). Now the phrase תְּרֹפֶה תִּפְּחֶה denotes "to make a voice resound in some place" (comp. Exod. XXXVI. 6; Ezr. I. 1; X. 7; etc.); therefore, we must render the first words of the ninth verse thus: "Then shalt thou let the blast of the trumpet sound in the seventh month," תְּרֹפֶה תִּפְּחֶה being, by way of metonymy, understood as the sound produced by the instrument; and similarly must be taken the concluding words of the same verse תְּרֹפֶה תִּפְּחֶה, "you shall let the sound of the trumpet be heard throughout all your land". — On תְּרֹפֶה, which is different from תְּרֹפֶה or the silver trumpet sounded by the priests on various solemn occasions (p. 489), and which is used parallel with תְּרֹפֶה (Josh. VI. 5), because it had the form of a horn, or, as Jewish tradition contends, because it was made of the horn of some animal, especially of a ram, see *supra* on XXIII. 23—32, p. 507; and on תְּרֹפֶה, which is properly a synonym of תְּרֹפֶה and of תְּרֹפֶה "the loud sounding instrument," and therefore occurs in combinations like תְּרֹפֶה תִּפְּחֶה and תְּרֹפֶה תִּפְּחֶה (comp. Exod. XIX. 13, 16, 19; Josh. VI. 4—6, 8, 9, 13), but which was also employed to denote that period which, above all others, was announced by the sound of the *shofar*, see Comm.

on Exod. p. 335. The meaning of liberty which Josephus and others attribute to the word תְּרֹפֶה (perhaps tracing it to תְּרֹפֶה to bring back, viz. to the original proprietor), is merely a supposition hazarded from our context (see *Jos. Ant.* III. XII. 3, ἐλευθερίαν δὲ σημαίνει τὸ δνομα; Sept. ἀφῆσσι; or ἀφέσεως; σημασία; Targ. occasionally תְּרֹפֶה תִּפְּחֶה; Nachman., Oehler l. c. p. 207; a. o.; but on the other hand, Rashi on ver. 11, תְּרֹפֶה תִּפְּחֶה על שם תְּרֹפֶה תִּפְּחֶה; comp. *Pfeiffer*, Dub. Vex. pp. 312, 313; *Carpzov*, Appar. pp. 447—460; *Bochart*, Hieroz. lib. II. cc. 32, 43, pp. 317, 426; *Rosenm.* Schol. 165—167; *Kranold*, l. c. pp. 11—20; *Bähr*, Symb. II. 572—575; *Knob.* Lev. p. 564). — Baumgarten (Comm. p. 233) observes: "The word תְּרֹפֶה and the thing point back to the great blast, by which the Israelites were made aware of the descent of the Divine hosts upon Mount Sinai (Exod. XIX. 13, 16)"; and this idea occurs also in other commentaries; but the analogy is confined to the circumstance, that in both cases the sound of the trumpet conveyed a solemn announcement and warning to the people; in every other respects the two occasions were entirely different. But one point has been admirably developed by the same writer: "The redemption of all the poor and oppressed in Israel is to be proclaimed on the Day of Atonement. For how does it happen that the Israelites, released from Egypt, and enjoying the ordinances of the Divine Law, again sink into the hard lot of poverty and servitude? Because they are not yet free from the corruption of nature, and are therefore still surrounded by the pollutions of human sin: and hence the redemption is connected

a jubilee; it shall be holy to you; you shall eat its produce out of the field. 13. In this year of jubilee

with expiation". — To express the ordinal number in connection with *נו*, this word is usually placed at the beginning in the construct state, so here *שנה חמשים* *רביע* (vers. 10, 11) *the fiftieth year* (comp. Gen. VII. 11, *שנה שש מאות* *רביע* *in the six hundredth year*; 2 Ki. XIII. 10; etc.). — The word *רביע* seems, long before our law was framed, to have been the specific term used not only for the liberation of slaves, but also for the restoration of lands (comp. Jer. XXXIV. 8, 15, 17; Ezek. XLVI. 17; see also Isai. LXL. 1); and it was therefore aptly employed by our author to describe that year which effected both the one and the other (see *supra*, p. 538). — On *רביע* and *רביע* (ver. 11) see *supra* p. 547. — "You shall eat its produce from the field" (*מאדן* *רביע*, ver. 12), that is, you shall not gather in the spontaneous growth of the fiftieth year, to store it up in your houses, but you shall take "from the field" always as much as is required for the moment, and not more.

14—17. As a necessary consequence of the law of the Jubilee, fields and vineyards were never actually sold and bought; but their crops were only ceded and farmed for a number of years (ver. 19); therefore in such transactions the price was naturally regulated by the time that had yet to elapse until the next Jubilee, and it was higher or lower according to the number of harvests which the purchaser hoped to enjoy before he was obliged to surrender the property to its original master. Now our law enjoins that such temporary sales should be conducted with the utmost fairness; the seller should not be extortionate by overstating the value

of the annual crops; and the purchaser should not take advantage of the seller's distress to "oppress" him by offering too low a price. Thus one of the latest ordinances of our Book, ideal in conception, and perhaps impossible of realisation, is pervaded by humanity as by the breath of life: "You shall not oppress one another, but thou shalt fear thy God; for I am the Lord your God". The fear of God, the Avenger of all wrongs which escape the eye of human judges, or are not amenable to their tribunals, is always set forth as the most effectual protection of the weak, and the most solemn warning to the powerful and prosperous (comp. vers. 36, 43; XIX. 14, 32).

PHILOLOGICAL REMARKS. — The singular of the suffix in *רביע* after the plural *רביע* ("if you sell to thy neighbour", ver. 14) must be understood in a distributive sense — if you sell, each to his neighbour (comp. Gramm. § 77. s); and the absolute infinitive *רביע* after the finite verb, takes the force of the latter, "or if you buy" (Gram. § 97. s). — The verb *רביע* in Hiphil (vers. 14, 17) in the sense of oppressing or acting harshly and cruelly, occurs especially in Ezekiel, and as in our passage, in connection with landed property (comp. Ezek. XLV. 8; XLVI. 18) and the distress of the poor (Ezek. XVIII. 8, 12, 16; XXII. 7, 29): we have more than once pointed out how much the levitical writer was indebted to the prophet (see pp. 386, 387), who was the first that mentioned "the year of liberty" (p. 538). The Rabbins very minutely specify the offences which fall under the category of *רביע*, and applying

you shall return every one to his possession.—14. And if thou sellest ought to thy neighbour, or buyest *ought* of thy neighbour's hand, you shall not oppress one another. 15. According to the number of years after the jubilee thou shalt buy of thy neighbour; according to the number of the years of the crops he shall sell to thee. 16. In proportion to the multitude of years thou shalt increase the price thereof, and in proportion to the fewness of years, thou shalt diminish the price thereof;

this term the first time (in ver. 14) to defraudation of property, the second time (ver. 17) to galling words, they contend, in the latter respect for instance, that it is sinful to remind a man who has suffered the penalty of the law, of his former misdeeds, or to ask a person known to be no scholar some learned question in order to humiliate him (comp. *Talm. Bab. Meta.* 49^b, 74^b; *Naimon. Hilch. Mechirah* cc. 12, 14). — The sense of the 15th verse is of course — in fixing the purchase money, the years must be counted that have elapsed since the *last* Jubilee (לשנת ה'ה'ה), in order to ascertain how many "harvest years" (שנתי תבואה) are still left to the *next* Jubilee, the Sabbatical years falling within the latter period being excluded in the computation. — The buyer, who has the distressed seller in his power, is enjoined to give to the latter his fair price, תמורתו (ver. 16); the suffix in this word refers, therefore, to the seller. — The words לך תמורתו must be taken quite literally, "for he sells to thee a number of crops"; they are not elliptical: not the fields were sold by the Hebrews according to our ordinance, but their produce only till the next Jubilee.

18—22. The law of the Sabbatical year had existed for centuries, but it had hardly ever been kept; it caused such inconvenience

and entailed upon the proprietors so many sacrifices, that successive legislators had found it necessary to enforce its observance again and again, now by angry menaces (XXVI. 34, 35, *supra* p. 536), and now by hopeful promises. Thus our compiler, interrupting the special ordinances of the Year of jubilee, here inserted the assurance, that if the Hebrews faithfully carried out the Divine commands, they would prosper in the undisturbed possession of their land; and he continued: "And if you shall say, What shall we eat the seventh year? behold we shall not sow nor gather in our increase; then I will command My blessing upon you in the sixth year, and it shall bring forth fruit for three years" (vers. 20, 21). Thus he held out the hope of a constant miracle, and of a periodical intervention of God's providence, for the production of unusual harvests; and he might well expect to rouse the Hebrews by such a promise at a time when, by God's mercy, they had received back the fertile land of their ancestors, and when they began to submit to their religious laws more readily than they had ever done before. However, his enthusiastic expectations were not always realised. When in the time of Judas Maccabæus, the town Bethsura was besieged by the Syrians, we are told

for he sells to thee the number of crops. 17. You shall not therefore oppress one another, but thou shalt fear thy God; for I *am* the Lord your God.

18. And you shall do My statutes, and keep My judgments, and do them; then you shall dwell in the land in safety. 19. And the land shall yield its fruit, and you shall eat to satisfaction, and dwell therein in safety.

20. And if you shall say, What shall we eat the seventh year? behold we shall not sow, nor gather in

that "the people came out of the city because they had no victuals there to endure the siege, it being a year of rest to the land"; and equal distress prevailed during that year in the capital (1 Macc. VI. 49, 53). Again, when Herod laid siege to Jerusalem, "the people were pressed hard by famine and the want of all necessaries"; for, observes Josephus, "this happened to be a Sabbatical year" (Ant. XIV. xvi. 2; XV. i. 2). Thus history confirms what might be anticipated from the nature of the institution, that a perfect cessation of agricultural labours during one year in every seven, seriously disturbed all economic arrangements; and the difficulties would have been considerably increased, had the Jubilee, following after a Sabbatical year, ever been observed.

PHILOLOGICAL REMARKS. — These verses evidently interrupt the continuity of the precepts on the sale of landed property; for vers. 14—17 prescribe that a just equivalent shall be given for the crops expected till the next Jubilee; the same subject is resumed in ver. 23, and is discussed in its various aspects to ver. 34. Moreover, our passage does not even refer to the Jubilee, but to the Sabbatical year, and would more appropriately follow after the seventh verse; for it states distinctly, "If you shall say, What shall we eat in the

seventh year" (ver. 20), not in the fiftieth; and the calculation made by the author was this: the abundant harvest took place in the autumn of the sixth year; the land rested to the autumn of the seventh year; and then, in a subsequent part of the same autumn, which, being later than the Day of Atonement, belonged already to the eighth year, the fields were sown, but of course matured their crops only at the end of the same, or the beginning of the next — the ninth — agricultural year (see *supra* p. 541). Thus understood, there is no obscurity in the 21st and 22nd verses, which can only by strained interpretations be referred to the Year of jubilee (comp. f. i. *Keil*, Archäol. I. 375, 376; Levit. p. 151; *Ideler* Chronol. I. 505; see on the other hand, *De Wette*, Beiträge, II. 284, 285; *Kitt* on ver. 21; *Knob.* Lev. pp. 565, 566, where, however, two computations are given neither of which is acceptable; *Graf*, Histor. Bücher, p. 79). We must, therefore, conclude that our verses, the language of which differs perceptibly from that of the rest of the chapter, have been inserted in this place by a reviser who, well aware of the great difficulties of the Sabbatical year, desired to encourage his countrymen to disregard them in pious reliance upon God's miraculous protection. —

our produce. 21. Then I will command My blessing upon you in the sixth year, and it shall bring forth produce for three years; 22. And when you shall sow in the eighth year, you shall eat *yet* of the old produce until the ninth year, until its produce comes in, you shall eat *of* the old *store*.

23. And the land shall not be sold for ever: for the

The twentieth verse is by some, as Nachmanides, construed thus: "If you shall say in the seventh year, What shall we eat (in the eighth)?" since the harvest of the sixth year precluded uneasiness as to the sustenance of the seventh. But the Hebrew words do not admit of such construction, and the author probably desired to intimate, that in the seventh year the stores might have seemed to require the utmost husbanding, since they would not be increased by new crops. Rashi clearly explains "the three years" (ver. 21) in the following manner: "Part of the sixth year from Nisan to New-year, up to the eighth year; for they should sow in the eighth year in the month of Marcheshvan, and would reap in the following Nisan"; and "the ninth year" (ver. 22): "Up to the Feast of Tabernacles of the ninth year; for that is the time when the produce of the eighth year is gathered into the store-houses" (comp. *Siphra*, Behar, c. 4, fol. 107^b). At the period of the Jubilee, the crops of the sixth year were of course supposed to last for four years — the sixth year itself, the Sabbatical year, the Jubilee, and the next year down to the completion of the harvest. — רִבְעָה (ver. 21) instead of רִבְעָה, like רִבְעָה, רִבְעָה, a. o.; and similarly also in some verbs רִבְעָה, as רִבְעָה, רִבְעָה, a. o.; see Gramm. §§ LXVI. 11^b; LXVII. 10. — רִבְעָה רִבְעָה (ver. 22), a combination doubly anomalous, the adjective

being without the article and in the masculine (comp. Gr. § LXXXIII. 15^a); unless we translate, "and you shall eat of the produce that which is old".

23—28. Now returning to the sale of land in the Jubilee, our law propounds the first of the two great principles on which the enactments of the Jubilee are founded: "The land is Mine", says God; "for you are strangers and sojourners with Me" (ver. 23). God, the lord of the whole earth, who assigned to all nations their boundaries, and granted to the Hebrews the land of Canaan, which He helped them to wrest from warlike races, selected it for His own abode, to be the Holy Land, the place of His Sanctuary, the home of His servants and prophets. Thus the Hebrews were only tolerated "strangers and sojourners" in the land which was not really their own; they were not entitled to sell the fields or vineyards which they held as a trust, like tenants. If poverty compelled a Hebrew to dispose of his land, he was bound to redeem it as soon as his condition improved; if he had a prosperous relative, the latter was expected to redeem it at once; and if neither of these alternatives took place, he received it back in the Year of jubilee. So consistently was the theocratic theory worked out (comp. *supra* pp. 384, 536). The purchaser was obliged unconditionally to accede to the redemption; yet Jewish teachers made a few stipulations in his favour: the redemption of the

land *is* Mine; for you *are* strangers and sojourners with Me. 24. And in all the land of your possession you shall grant a redemption for the land.

25. If thy brother becomes poor, and sells *some* of his possession, then his nearest kinsman shall come, and redeem that which his brother has sold. 26. And if the man has no one to redeem it, and he becomes

land was not allowed earlier than two years after its sale, and a year of bad crops and a Sabbatical year were not counted; but in other respects they guarded the interests of the seller, to whom every facility was given for recovering his land, if he could do so by his own means. Moreover, they concluded from the words of our text, that no other cause justified the sale of ancestral property except hopeless poverty (ver. 25); but they hardly did justice to the spirit of our law in deciding, that if anyone sold his field for longer than fifty years, it did not return to him or his heirs in the Year of jubilee: a sale for sixty years was illegal according to the Bible, and was annulled in the next Jubilee (comp. *Mishn. Erach. IX. 1, 2*); and Philo justly observes: "The law says, Do not give a price as if for an everlasting possession, but only for a definite number of years, which must be less than fifty" (*Philo, De Septen. c. 13*). — The mode of redemption follows naturally from the principles referred to: in selling the land, the annual value of the crops was multiplied by the number of harvest years to the next jubilee (vers. 14—17); the product was the purchase price; therefore in redeeming the land, the value of the crops which the purchaser had enjoyed from the time of acquisition was deducted from that price, and the difference had to be paid to him by the seller, to whom then his inalien-

able property reverted. Thus the interests of both parties were carefully weighed. Josephus, in stating our law, strangely confounds the redemption of lands with their restoration in the Jubilee; for he observes: "When the Jubilee is come, he that sold the land, and he that bought it meet together, and make an estimate, on the one hand, of the fruits gathered, and on the other hand, of the expenses laid out upon it. If the fruits gathered by the purchaser come to more than the expenses laid out by him, the seller takes the land back again; but if the expenses prove more than the fruits, the present possessor receives of the former owner the difference that is wanting, and leaves the land to him; and if the fruits received and the expenses laid out prove equal to one another, the present possessor relinquishes it to the former owner" (*Jos. Ant. III. xii. 3*). According to the Biblical law, no calculation whatever is made in the Jubilee, but the sold land returns free to the proprietor. And if land is redeemed between one Jubilee and another, only the second of the three cases put by Josephus is considered in our law, the first and third being incompatible with its provisions; for as the purchaser had paid the value of all the harvests till the next Jubilee, but loses a part of them when the owner redeems the property, he has, under all circumstances, a right to receive back a portion of the purchase money;

prosperous, and acquires enough to redeem it; 27. Then let him count the years of its sale, and restore the over-plus to the man to whom he sold it; that he may return

the fruits gathered by him during his limited period of possession can never exceed or equal the price he paid for the field, except in cases of exceptional plenty, which the law of course does not take into account. We must, therefore, conclude, that Josephus, having no actual experience, nor even a safe tradition, to guide him, attempted on his own part an explanation, which fails to meet the meaning of the commands.

Some knowledge of our ordinance reached heathen authors; thus Diodor of Sicily writes: "Moses divided the land by lot, giving equal portions to the private citizens, but larger ones to the priests (sic); and he forbade the former to sell their lands, lest some greedily buy up many allotments, eject the less prosperous, and thus cause a decrease of the population" (*Diod. Sic. XL. 3*). Among other ancient nations we find some arrangements slightly analogous to the Biblical laws. Lycurgus, after having distributed the land essentially in equal parts, made it infamous for any one either to buy another's possession or to sell his own; yet by permitting the citizens to give their property away or to bequeath it, he paved the way for that which eventually happened, that "some had far too much, others too little, by which means the land came into few hands" (*Aristot. Polit. II. 6*; comp. *Plut. Instit. Lac. c. 41*). Solon enacted a law restraining persons from acquiring land beyond a given limit (*Arist. l. c. II. 7*). Plato believed that no one ought to possess more than four times as much as the lowest income or as "a single

lot" (*κλήρος*, *Plat. Legg. V. 13*). The Locrians were forbidden to sell their ancient patrimony or their original lots of land, unless notoriously compelled by distress; and in some other countries it was unlawful to sell such lands on any account (*Aristot. l. c. II. 4*; *VI. 2*). The Dalmatae made a partition of their land every eighth year (*Strab. VII. v. 5*). Among the old Germans, who did not pay much attention to agriculture, no one had a fixed portion of land as his own individual property; but the magistrates and chiefs allotted every year to tribes and families as much and in such situations as they thought proper, and obliged them to remove the following year: for this usage they assigned among other reasons these — lest they be anxious to acquire extensive estates, and the more powerful be tempted to dispossess the weaker; or that the common people, seeing that their own property was equal to that of the most powerful, might be kept in contentment (*Caes. Bell. Gall. VI. 22*; comp. *Tacit. Germ. c. 26*). Pheidon, the Corinthian, "one of the oldest of legislators", thought that the families and the number of citizens in a state ought to continue the same; though it might thus happen that all at the first have allotments disproportionate to their numbers (*Aristot. Polit. II. 3*). With a view of equalising the property of the citizens, Phaleas of Chalcedon ordained that the rich should give marriage portions, but never receive any, while the poor should always receive but never give them (*Arist. Polit. II. 4*). Yet even these and

into his possession. 28. But if he does not acquire enough to restore *it* to him, then that which has been sold shall remain in the hand of him that bought it

similar measures, imperfect and desultory compared with the complete and well-balanced law of the Pentateuch, were found impracticable, and for the most part remained a dead letter. — Aristotle thus comments on equality of property: "It is possible that an equality of goods is established, and yet that this may be either too great, when it leads to a luxurious living, or too little when it obliges the people to live hard. Hence it is evident, that the legislator must aim at a proper medium or a moderate sufficiency for all. And yet it is even of more consequence that the citizens should entertain a similarity of feelings than an equality of property; but this can only be if they are properly educated under the direction of the laws" (*Aristot. Polit. II. 4*). Would the great philosopher, had he known the legislation of the Pentateuch, have found in it the realisation of his ideal? He certainly describes with precision its main features.

PHILOLOGICAL REMARKS. — The first verses state the subject and the general principle of the ordinance; they are, therefore, more closely connected with the following verses (25—28) than with the preceding commands on the sale of landed property (vers. 14—17, vers. 18—22 being an interpolation). — *וְשָׁמַת* (ver. 23), from *שָׁמַת* to be silent or to silence, to make an end (comp. Lament. III. 53), is *end* or *end of time*; *וְשָׁמַת* or *וְשָׁמַת* is, therefore, *in all futurity*, *for ever* (Sept. *εἰς βεβαίωσιν*, Vulg. *in perpetuum*, Onk. *וְשָׁמַת* absolutely or *for ever*; comp. *Talm. Erach. 31*; *Siphras* in loc. fol. 108^b, *וְשָׁמַת*; Luth. *ewiglich*; Rashi *וְשָׁמַת* *וְשָׁמַת* *וְשָׁמַת* *וְשָׁמַת*, etc.; Ewald traces the word

even to *שָׁמַת* and *וְשָׁמַת*; others entirely or altogether; Marg. Auth. Vers. to be quite cut off or for cutting off; Michaelis—Supplem. p. 2104 — *ad silentium*, i. e. *ut venditori silentium in posterum sit*): it is indeed difficult to see why so unusual a term should have been employed instead of the common *וְשָׁמַת* (ver. 46); yet that explanation seems preferable to the renderings "the land shall not be sold for extinction" (Keil), so that the seller loses it, or so that "he has to be silent", which is especially questionable in ver. 30, in which the seller is not mentioned at all; or "the land shall not be sold in a binding manner" (Knobel), that is, so that it would remain to the purchaser as his real property; but the use of *וְשָׁמַת* in this sense is merely a conjecture. — *וְשָׁמַת* (ver. 25) is literally "the redeemer that is nearest to him," that is, his next of kin, such as uncle or cousin (ver. 49), upon whom devolved the duty to watch over the personal rights and the family property of his kinsman (comp. Num. V. 8; XXXV. 21—27; Deut. XIX. 6, 12; Josh. XX. 3, 5, 9; Ruth III. 9, 12; IV. 1—8; 2 Sam. XIV. 11; Jer. XXXII. 7, 8; etc.; Comm. on Exod. p. 393); a similar phrase is *וְשָׁמַת* *וְשָׁמַת* *וְשָׁמַת* his nearest relation (XXI. 2; Num. XXVII. 11; p. 461). — On *וְשָׁמַת* (vers. 26, 47, 49) *his hand has attained* or *acquired*, viz. wealth, for which also *וְשָׁמַת* and *וְשָׁמַת* (ver. 28) are used, and which is nearly the opposite of *וְשָׁמַת* *וְשָׁמַת*; and on *וְשָׁמַת* *וְשָׁמַת*, literally "like the sufficiency of his redemption", that is, what is sufficient for his redemption, and *וְשָׁמַת* *וְשָׁמַת* (ver. 28) sufficient to restore the land to him, see Comm. on Lev. I. 515. — *וְשָׁמַת* (ver. 27) the

until the year of the jubilee; and in the jubilee it shall be free, and he shall return to his possession.

29. And if a man sells a dwelling-house *in* a walled city, then he may redeem it within a whole year after it is sold; *within* a year he may redeem it. 30. But if it is not redeemed within the space of a full year, then

surplus or excess, that is, the amount by which the purchase money of the field exceeded the value of the crops reaped by the purchaser (comp. Exod. XVI. 18; XXVI. 12; etc.). — *וְהָיָה* (vers. 28, 30) *its purchaser*, the participle retaining the force of the verb (see Gramm. § 100. 2, 3).

29—31. The lawgiver's chief care was, to preserve the lands hereditarily in the families to which they had at first been assigned; to this object he made all his provisions subordinate; he therefore prescribed that, if any one sold a house in a walled city, he was indeed allowed to redeem it within one year; but after this time he lost all claim to its possession; it belonged for ever to the purchaser, nor did he or his heirs receive it back in the Year of jubilee. If, however, the house lay in a village or hamlet without walls, it was considered as a part of landed property, and was subject to exactly the same rules of redemption as the latter; and if not redeemed, it reverted in the Jubilee to the original owner. Houses, being the work of man, and not, like the land, the creation and gift of God, might be freely disposed of, yet only in so far as their sale did not interfere with the inviolable rights which God had reserved to Himself with respect to the land. But without the dwelling-houses and other buildings in villages or farms, the land cannot be properly cultivated and attended to; it must deteriorate in value and may have to be renounced altogether. Moreover, a foreigner

might buy the farm buildings, which, if they belonged to him and his family for ever, would give him a permanent footing in the land which was to be the inheritance of the Hebrews. Strangers were at liberty to settle and to acquire property in towns, in which they formed an inferior element, whereas in scattered hamlets and in rural districts, they might gain a dangerous ascendancy. They were always to be no more than "sojourners" among the Hebrews. Thus our law, far from being capricious, fully harmonises with the character of the Jubilee. The conditions of the redemption of houses were the same as those with respect to fields, namely, the seller returned to the buyer part of the purchase money in proportion to the number of years that had still to elapse to the next Jubilee. The Rabbins, endeavouring to give to the vendor the greatest possible facilities, decreed that he had the option of redeeming his house during 365 days, or the full extent of the *solar* year; that towns, however large, which had no real walls, or the walls of which had not yet been built in the times of Joshua, were not considered as walled cities; and that sold houses in them could be redeemed at once, or were restored to their owners in the Jubilee. The Mishnah states: In former times it frequently happened that on the day when the year expired, the purchaser hid himself, in order to prevent the vendor from giving him back the money, and to secure the continued possession of the house.

the house that *is* in the walled city shall remain for ever to him that bought it throughout his generations; it shall not be free in the jubilee. 31. But the houses of the villages which have no wall round about them, shall be counted as the fields of the country; they may be redeemed, and they shall be free in the jubilee.

Therefore Hillel the elder ordained, that the seller might on that day deposit the money in a chamber of the Court of the Temple, and then go and break open the door of his sold house; while the buyer was at liberty to fetch the money from the Sanctuary (comp. *Mishn. Erach. IX. 3—7.*)

PHILOLOGICAL REMARKS.—The word בית (ver. 29) is in juxtaposition with קנין (ver. 32): the right of redemption should be open to the seller only for “a limited time”, not for ever (see *supra* on ver. 8); if it were meant to signify “year”, שנה would probably have been repeated instead. — $\text{בית} \dots \text{בית}$ (ver. 30) “the house shall remain (as permanent property) to the purchaser”; in this sense בית with ל (lit. to stand by some one) is used both in earlier and later writings (comp. XXVII. 19; Gen. XXIII. 17, 20). — The words $\text{בית} \text{א} \text{א} \text{א}$ must, in our context, mean “in a town that has walls” (so the ancient Versions, the Samaritan codex, and many codices of Kennic.); so that א stands for, or has the meaning of, א , or rather א , the noun א being usually feminine, though sometimes masculine suffixes refer to it (Num. XXXV. 3; Judg. X. 4; 2 Sam. XVII. 13; comp. the masculine termination of the plural א): about this strange Kethiv see *supra* pp. 161, 162, on XI. 21. Maurer (Commentar. Gramm. Crit. p. 53) suggests that א may be meant for א , just as in Ezek. XXXVI. 5 א stands for א , which conjecture deserves attention; see also *Rosenm.*

in loc. — $\text{בית} \dots \text{בית}$ (ver. 31) “and the houses of the villages ... each of them shall be reckoned as the fields of the country”; the noun being taken in a distributive sense, as above in ver. 14, p. 555. — א to be reckoned as belonging to something, as in 2 Sam. IV. 2. — The א are villages distinct from the great towns (א) and the smaller towns connected with them (א ; comp. Josh. XIII. 23; XV. 32, 36, 41, 45, etc.; XVI. 9; XVIII. 24; etc.).

32—34. Anyone reading the Pentateuch for the first time consecutively, might well be perplexed when, coming to our passage, he meets with these injunctions: “And as to the cities of the Levites, the houses of the cities of their possession, the Levites may redeem them at any time” (ver. 32); and again: “But the field of the suburbs ($\text{א} \text{א}$) of their cities may not be sold, for it is their perpetual possession” (ver. 34). What are the “cities of the Levites” or the “cities of their possession”? and what is “the field of the suburbs ($\text{א} \text{א}$) of their cities”? Nothing of this has ever been mentioned before; it was only about forty years after the date of these *Sinaitic* laws that, in the plains of Moab, “God spoke to Moses, Command the children of Israel that they give to the Levites of the inheritance of their possession cities to dwell in; and you shall give also to the Levites suburbs for the cities round about them; and the cities shall they have to dwell in; and the suburbs of them shall be for their cattle, and for their goods, and

32. And *as to* the cities of the Levites, the houses of the cities of their possession, the Levites may redeem *them* at any time. 33. And if one of the Levites re-

for all their beasts" (Num. XXXV. 1—3). If, therefore, the Hebrews had received the ordinances of our verses while encamping before Mount Sinai, they would have found them unintelligible; and if the allotment of forty eight levitical towns with pasture lands of just 2000 yards all around each, were be taken as a historical fact, our section would have to be referred to a much later time. But if at all historical, it was not carried out in the ante-Babylonian time, when, even according to the Deuteronomist, the Levites, constantly recommended to the charity of the people, lived dispersed throughout the land, settled wherever they hoped to find sustenance, and flocked especially to the capital, where they might expect to obtain employment at the common Sanctuary. The very assignment of a large number of towns with considerable fields clashes with the fundamental principle, that the Levites were to have no property, because God alone was their portion and inheritance (Num. XVIII. 20; etc.). Yet after the exile, when the Levites gained paramount influence, they could at least propose and theoretically describe such an arrangement without fearing that their spiritual aspirations and their material claims would be found incompatible. On the other hand, we have proofs, that priests at all times possessed landed property. Thus Solomon "commanded Abiathar the priest, Go to Anathoth to thy own fields" (1 Ki. II. 26); and Jeremiah, who was of priestly descent, bought of his uncle Hanameel, near his native town, a

field that was for ever to remain in his family because "to him belonged the right of inheritance (נַחֲלָה) and the right of redemption" (נִשְׁמָה, Jer. XXXII. 6—15; see in general Comm. on Levit. I. 621, 622).

However, following our text, and viewing it in connection with the entire theocratic and levitical system, as worked out in later ages, we must appreciate the judiciousness and consistency of the enactments. The real property of the Levites was restricted to dwelling-houses and to fields for their cattle. In both respects their interests were to be fully protected. If compelled to sell their houses, they were permitted to redeem them at any time, and if neither they nor any of their relations were able to do so, they received the houses back free in the Year of jubilee; but the fields round their cities they were not to sell at all. Thus their houses, which were to them of no less importance than the land was to the other Israelites, were with evident fairness estimated exactly as land, and enjoyed the same privileges; while their fields were justly made inalienable, since they involved the preservation of their cattle, which were a chief means of their sustenance. The position in which the Levites were placed by these arrangements is not more favourable than naturally followed from the political and social organism devised with so much earnestness and perseverance, but with so little regard to the realities of life.

PHILOLOGICAL REMARKS. — As might be expected, attempts have been made to prove that the commands

deems it, then the house that was sold in the city of his possession shall be free in the *year of jubilee*: for the houses of the cities of the Levites are their possession

of this passage stand in their right place, and are consistent with the unity and Mosaic origin of the Pentateuch (comp. f. i. *Ranke*, *Untersuch.* II. 114—117): but they have of course been unavailing; no ingenuity can render it plausible that our verses contain "the general outlines" of a law for the first time communicated; the words, "And as to the cities of the Levites, the houses of the cities of their possession, the Levites may redeem them at any time", will make upon every unbiassed reader the impression, that we have before us a subject with which the Hebrews must have been familiar; while, on the other hand, the passage in Numbers quoted above, refers to the same matter as if it were a perfectly new one (compare the plain statement in Josh. XXI. 1—3. The scheme proposed in Ezekiel XLVIII, and its relation to the corresponding devices of the Pentateuch, will be explained on a future occasion). — The apposition, or rather qualification, "the houses of the cities of their possession" (בָּתֵּי עָרֵיהֶם אֲשֶׁר בְּיָדָם), following after the principal notions "the cities of the Levites" (עָרֵי לֵוִי, ver. 32), points to the fact that the Levites were not meant to receive the whole towns, but only a sufficient number of houses in each of them. — The anastrophe in the construction of the sentence is not unusual, the subject being first emphatically stated irrespective of the predicate (see Gram. § 75. s). — The 33rd verse, as it stands, offers considerable difficulties, but it yields a perfectly appropriate sense if, instead of בָּתֵּי עָרֵיהֶם, we read בָּתֵּי עָרֵיהֶם;

the negative particle is indeed added by the Vulgate (*si redemptae non fuerint*); and this reading has been extensively adopted (f. i. by Houbigant, *Volde* l. c. p. 41; *Ewald*, *Alterth.* p. 387; *Knob.* Lev. p. 569; *Oehler* l. c. p. 209); the case here stated would then be precisely analogous to *land* sold by other Israelites (vers. 25—28); namely, if the Levite disposes of his house, he shall be allowed to redeem it whenever he pleases; and if neither he nor any of his relatives redeems it, he receives it back in the Jubilee. In defence of the traditional text, it has been urged by Rabbinical and other interpreters, that the verb *בָּא* to redeem should here be taken in the sense of *קָנָה* to buy, and that the meaning of the verse is this — if an Israelite buys a house from a Levite, the latter shall obtain again possession of it in the Jubilee (comp. *Rashi*, *בָּא* וְיָקֻם וְיִשְׁכַּח וְיִשְׁכַּח וְיִשְׁכַּח; *Ebn Ezra* וְיִשְׁכַּח וְיִשְׁכַּח וְיִשְׁכַּח; *Engl. Vers.* and if a man purchase of the Levites; *Baumgarten*, Lev. p. 235; *Keil*, Levit. p. 153; a. o.). But *בָּא* is never to buy, but to redeem, and is constantly so used in this chapter (*Kimchi* s. v. *בָּא* וְיִשְׁכַּח וְיִשְׁכַּח). Some have indeed contended, that if Israelites "bought" houses from Levites, they in reality "redeemed" them, since the houses originally belonged to the Israelites, and were only ceded to the Levites in harmony with the ordinance of the levitical towns; but few will approve of so artificial an explanation: according to the Law, neither the levitical nor any other towns ever really belonged to the Israelites, but were and

among the children of Israel. 34. But the field of the suburbs of their cities may not be sold; for it is their perpetual possession.

always remained the property of God, who, at the first division of the land, granted certain provinces to the Israelites, on condition that they should place a number of towns at the disposal of the Levites. More acceptable is another Rabbinical interpretation, namely, that the words *וְאִם יָמַל בְּיָד אֲחֵרִי* mean that, even if a Levite had sold his house to another Levite, or if having sold it to a person of a different tribe, it had been redeemed by another Levite, his right of redemption was unrestricted, exactly as if he had sold the house to an Israelite; and if he did not redeem it, he could claim it again in the Jubilee (see *Siphra* in loc.; *Kimchi* sub *בָּא*; *Rashi* in loc.; Wesseli, Rosenm., De Wette, a. o.). But thus understood, the verse seems strange and almost superfluous; for, what difference could it make whether the house of a Levite was sold to another Levite or to a person of a strange tribe, since the sole object of the law was to secure the property to the original owner? The addition of the particle *אֲלֵ* would, therefore, be desirable, if it were better supported by the ancient versions. In this case, it would not be surprising to read, "If one of the Levites does not redeem it", because, as a rule, people in distress claim and expect the assistance of kinsmen; though, of course, the contingency of a friend of the Levite or his wife's relations from another tribe coming to his aid, is not excluded. — The words *אֲלֵ בֵּיתוֹ וְעִיר אֲרָצוֹ* are literally, "then the sale of the house and the city of his possession shall be free in the Year of jubilee", that is, the

house which he sold in the city of his possession; the words *בֵּיתוֹ וְעִיר אֲרָצוֹ* are, therefore, a hendiadys (Sept. διὰ πρᾶσις αὐτῶν οἰκῶν πόλεως, a. o.), and *בֵּיתוֹ וְעִיר אֲרָצוֹ* is a genitive dependent on *אֲלֵ*, like *בֵּיתוֹ*. Hence we must not translate, "the house and any other property in his city", for the Levite had no possession in the town except his house; nor "the house and the city of his possession", for the Levites had not the power to sell the "levitical towns", which belonged to them but partially (see *supra*). Of course, the right of perpetual redemption and the free restoration in the Jubilee applied only to houses possessed by the Levites in their appointed towns, but not to houses elsewhere acquired; and this restriction is expressed in the words referred to (*בֵּיתוֹ וְעִיר אֲרָצוֹ*). — The singular *וְעִיר*, being the copula, agrees with the predicate *אֲרָצוֹ*, not with the subject, which is in the plural *בָּתֵּי*; see Gram. §78. 5. — *עֵדֶי* (ver. 34) from *עָד* to drive, to lead forth, is the place to which cattle are driven, therefore *pasture* (analogous to *עָד* from *עָד* to lead); thus we find *עֵדֶי שְׁאֵרֹן* the pastures of Sharon (1 Chron. V. 16), and, as in our passage, dwellings and pastures are placed in contradistinction *עֵדֶי וְעִיר* (Ezek. XLVIII. 15); but the word is most commonly used of the fields round the levitical towns, appropriated to the cattle of the Levites, whence the towns themselves are called *עֵדֶי* (1 Chron. XIII. 2), that is, cities with fields or suburbs (comp. Num. XXXV. 2—7; Josh. XIV. 4; XXI. 2 *sqq.*; 1 Chr.

35. And if thy brother becomes poor and falls into decay with thee, thou shalt support him, the stranger and the sojourner, that he may live with thee. 36. Thou

VI. 40 *sqq.*; 2 Chr. XI. 14). The ancient translations of the words *עֲבָדֶיךָ וְעַמְּךָ הָעִירִי* are not very accurate (Sept. *oi dytoi oi dēpōisimēnoi taiz eblētoiv*, Vulg. *suburbana eorum*; etc.). Jewish expositors hold, that the Levites were indeed at liberty to sell their fields, like their houses, and that our text treats of Levites "consecrating" their fields to the Sanctuary, in which case they were always allowed to redeem them, whereas persons from other tribes had, under similar circumstances, for ever to renounce their property, which might be sold again by the overseers of the Sanctuary (comp. XXVII. 20, 21): this view would render it necessary to translate *עֲבָדֶיךָ* *אֲבָדֶיךָ* "it shall not be sold again", which is against the usage of the word. The reason why the Levites were on no account to dispose of their pasture lands, is quite intelligible.

35—38. Among the ordinances respecting the Year of jubilee are inserted, if not logically, yet not quite inappropriately, precepts on assistance to be afforded to persons in declining circumstances. For the spirit of charity, though rendered subservient to social and political principles, pervades all these injunctions, and is especially manifest in the provisions on the redemption of sold property and sold slaves. Moreover, the matter of timely loans had by a previous writer been brought into connection with the chief subject of our chapter. For we read in Deuteronomy: "If there be among you a poor man . . . , thou shalt not harden thy heart, . . . but thou shalt open thy hand wide to

him, and shalt indeed lend him sufficient for his need in that which he wants; beware that there be not a thought in thy wicked heart, saying, The seventh year, the Year of release, is at hand, and thy eye be evil against thy poor brother, and thou givest him nought, and he cry to the Lord against thee, and it be sin to thee" (Deut. XV. 7—11). This passage may have been before our author's mind, who, to enforce his law, makes use of appeals similarly pathetic and awe-inspiring — "thou shalt fear thy God, . . . for I am the Lord your God who brought you forth out of the land of Egypt, to give you the land of Canaan, to be your God" (vers. 36, 38). Yet the last words are, besides, intended to impress upon the Hebrews, that they would be reckless, ungrateful, and hard-hearted, were they to forget the poor and struggling, since they had themselves once sighed in the yoke of bondage, from which God mercifully released them to give them prosperity in a fertile land, and to remain their Protector for ever. — But in one respect the levitical author shows a remarkable progress. For the Deuteronomist enjoins, "Thou shalt not lend upon usury to thy brother; usury of money, usury of victuals, usury of anything that is lent upon usury; to a stranger thou mayest lend upon usury, but to thy brother thou shalt not lend upon usury" (Deut. XXIII. 20, 21; comp. also Exod. XXII. 24). But in our passage we read, "And if thy brother becomes poor by thee, and falls into decay with thee, then thou shalt

shalt take no usury of him or increase, and shalt fear thy God, that thy brother may live with thee. 37. Thou shalt not give him thy money upon usury, nor give

support him, the stranger and the sojourner (צָרִיךְ וְגֵר), that he may live with thee"; and then the writer continues, "Thou shalt take no usury of him or increase, . . . that thy brother may live with thee; thou shalt not give him thy money upon usury, nor give him thy victuals for increase" (vers. 35—37). So, then, the great principle, "Thou shalt love the stranger as thyself", had become a reality, and the misery through which the Hebrews had passed, first in their long and desperate struggles for independence, and then in their sad subjection and captivity, had proved a school of moral training and enlarged their sympathies (see p. 435). — The laws of the Pentateuch on loans and interest have before been treated of (see Comm. on Exod. pp. 435—438). That even in our author's time the prohibition of usury was not superfluous, is evident from the fearful distress to which the poor were by that abuse reduced in the time of Nehemiah, who, when he was informed of the extent of the evil, called an assembly of the rich, and thus rebuked them: "You exact usury every man of his brother . . . Restore then to them this very day their land . . . and their houses, also the hundredth part of the money [being the monthly interest], and of the corn, the wine, and the oil, that you exact of them" (Neh. V. 7—11).

PHILOLOGICAL REMARKS. — The words צָרִיךְ וְגֵר (ver. 35) must undoubtedly be understood in the manner above indicated, and they would probably never have been differently understood, had it not been deemed

necessary to remove, at whatever hazard, their divergence, in sense, from the corresponding passage in Deuteronomy. The usual translation is, with unessential modifications, "And if thy brother (an Israelite) becomes poor, . . . then thou shalt support him, and he shall live with thee like a stranger and a sojourner" (f. i. Sept. ἀντιλήψῃ αὐτοῦ ὡς προσφύτου καὶ παροίκου καὶ ζήσεται μετὰ σοῦ; Vulg. et susceperis eum quasi advenam et peregrinum, et vixerit tecum; Targ. Jon. וְהָיָה עִמָּךְ כְּצָרִיךְ וְכַגֵּר; Luther du sollst ihn aufnehmen als einen Fremdling oder Gast, dass er lebe neben dir; and many others); and it is commonly thus explained: "after he has been obliged to sell his property, he shall be your sojourner, supporting himself and his family by his work as a hireling, until the Jubilee, when he receives back his possession" (so Knobel, a. o.). But our passage speaks not only of persons who have sold their lands, but perhaps more particularly of those who, by opportune loans, might be saved from the necessity of selling them. Moreover, the translation adverted to is philologically impossible, and the construction of the Hebrew words which it demands, would be surprising in a plain style of legal enactments (comp. in ver. 40 תָּרַם וְהָיָה צָרִיךְ וְגֵר). Indeed some of the best Jewish commentators have rendered the words צָרִיךְ וְגֵר in their true sense (f. i. Rashi in loc. צָרִיךְ וְגֵר אֵינוֹ אֶלָּא אֶחָד; Ebn Ezra צָרִיךְ וְגֵר אֵינוֹ אֶלָּא אֶחָד; a. o.); their example has been followed by some later translators (as Engl. Vers. yea though he be a stranger or a so

him thy victuals for increase. 38. I *am* the Lord your God who brought you forth out of the land of Egypt, to give you the land of Canaan, to be your God.

journer; Mendelssohn, dass auch der Fremde und Geduldete bei dir leben möge; Rosenmüller, non solum fratrem tuum Israelitam pauperem iuvabis, sed etiam peregrinum et advenam, qui ad paupertatem devenit; Johnson, Herzheimer a. o. sei es ein Fremdling oder Beisasse; De Wette; etc.); and they explain the difference between Deuteronomy and our law by the supposition that the former passage (Deut. XXIII. 21) treats of the גר or the heathen foreigners, but ours of the גר תושב or those resident strangers as have pledged themselves not to worship idols, nor to eat unlawful food (see *supra* on vers. 23—28): but this distinction is untenable, since the גר in Deuteronomy is evidently also a resident stranger (comp. Isai. LVI. 7; see also Pfeiffer, *Dub. Vex.* pp. 313—315; Saalschütz, *Mos. R.* p. 164). Pseudo-Phocylides likewise expresses the prohibition of usury quite generally: $\text{Μηδέποτε χρεήτης πικρὸς γένη εὐδὲρ πένυτι}$ (ver. 83). — אֶתְּךָ thy brother is probably here the Israelite in contradistinction to גר , though it seems also to be employed to denote fellow-man in general (see on XIX. 18). — $\text{וְאִם יָדָו יָבִיט}$ is literally “and if his hand wavers”, יד having the figurative sense of power or prosperity; therefore, “if his prosperity declines or decays”: the phrase בִּלְתִּי נָפַל , literally “the foot slips” or fails (Ps. XCIV. 18), generally applies to moral failings (Deut. XXXII. 35; comp. Ps. XXXVII. 31; LXXXIII. 2), and involves another metaphor. — וְאִם יָבִיט or וְאִם יָבִיט , properly “addition” or “increase”, seems, in our passage (ver. 37), to be different from וְאִם יָבִיט usury;

the former signifying the charge made for the loan of corn or other food, the latter denoting interest taken upon money (see Comm. on Exod. p. 437). The Mishnah (Bab. Metz. V. 1) gives these definitions: $\text{תַּשִּׁיב פְּרוֹטָה}$ if, for instance, a person lends to another a shekel, which is worth four denarii, and demands back five, or if he lends to another two seahs of wheat, and demands back three; but וְאִם יָבִיט involves increase of property by means of fruit ($\text{פְּרוֹטָה בְּפִי פֶתַח}$); if, for instance, A receives from B a sum of money at a time when the measure of wheat costs 25 denarii, on condition that he shall throughout the year supply him with wheat at the same price; now if the wheat rises to 30 denarii the measure, he is not allowed to offer to the other wine, and in this exchange to compute the corn at the higher price. However, in other passages both terms are used as equivalents, and וְאִם יָבִיט occurs in reference to any kind of usury (comp. Ezek. XVIII. 8, 13; XXII. 12; Prov. XXVIII. 8; see *Talm.* Bab. Mets. 60^b—63^b, 71, 75; *Naimon.* Hilch. Malveh co. 1, 4, 11; *For. Deah* § 160; *Selden*, *De Jure Nat. et Gent.* VI. 9, 10, pp. 713—724). — וְאִם יָבִיט (ver. 36), which coincides with the construct state of the noun חַיִּים life, is an irregular form, occurring nowhere else, of the third person past of חָיָה of which is repeatedly used (Gen. III. 22; V. 5; etc.; see *Gramm.* II. p. 214). The translation “the life of thy brother shall be with thee”, וְאִם יָבִיט being taken as the constr. st. of חַיִּים , is not plausible (comp. *Naimon.* Mor. Nev. I. 68).

39. And if thy brother becomes poor by thee, and is sold to thee, thou shalt not compel him to serve as a bondservant; 40. *But* as a hired servant *and* as a sojourner he shall be with thee, *and* shall serve thee to the year of the jubilee; 41. And *then* shall he go out free from thee, *both* he and his children with him, and

39—55. When everything had been done to help an impoverished Hebrew, and he was yet unable to support himself, then, and only then, when all his efforts to maintain his independence had failed, he might sell himself as a slave. He was not to take this step lightly, for liberty was the seal of the theocratic citizen; nor could he renounce his liberty for ever; if he lived to the return of the great and solemn period of the Jubilee, he became again a free man, and he went back with his children to his own family and the possession of his fathers; he could not be owned by a fellow-man; God was his lord, as He was his master's lord; all differences between Hebrew and Hebrew vanished, and to the meanest of them the principle applied, "They are My servants, whom I brought forth out of the land of Egypt; they shall not be sold as bondmen are sold" (ver. 42; comp. ver. 55). Such was the theory which had been developed in the course of ages. How different was the law of earlier times, when experience rather than speculation guided the legislator! Then a six years' service was fixed as a rule; after the expiration of this term, it was left to the option of the slave, whether he would remain in servitude or not; and if he decided to do so, he was simply marked as his master's perpetual property. Yet even this law fell into disuse; for it is altogether ignored in our ordinance (see *supra* p. 538).

Now if a Hebrew sold himself to

another Hebrew, he might indeed expect considerate treatment, since he was essentially the equal of his master, and might look forward not only to independence but to the re-installment in his patrimony; he was merely as "a hired servant" and as "a sojourner", who need not submit to degrading or exhausting toil; he was no bondman, since by our law serfdom was virtually abrogated: in a work written at about the same period, a wealthy master exclaims, "If I despised the cause of my man-servant or of my maid-servant, when they contended with me: for what should I do when God rises up? and when He searches, what shall I answer Him? Did not He make him in the womb that made me? and did not One fashion us in the womb?" (Job XXXI. 13—15). But the sold Hebrew had not the right of redemption; the legislator deemed it just to protect the Hebrew master's interest also, which he thought would have been damaged by that right. He showed, however, no such consideration to a *heathen* master to whom an Israelite might sell himself. In this case, he not only permitted redemption, but strongly impressed it as a duty upon himself and his relatives — "after he has been sold, he may be redeemed again; one of his brothers shall redeem him; or his uncle or his uncle's son shall redeem him, or anyone that is near of kin to him of his family; . . . or if he becomes prosperous, he shall redeem himself" (vers. 48, 49; comp.

shall return to his own family, and to the possession of his fathers shall he return. 42. For they *are* My servants, whom I brought forth out of the land of Egypt; they shall not be sold as bondmen are sold. 43. Thou shalt not rule over him with rigour, but shalt fear thy God. 44. Both thy bondmen and thy bond-

Num. XXVII. 9—11). He was naturally anxious to afford to the Hebrew every facility for escaping from influences dangerous to his faith; that he entertained no hatred to the stranger, he showed by allowing him to acquire Hebrew slaves; and the very tenour of our law proves that strangers were living in prosperity among the Hebrews.

The conditions of the redemption of slaves and of fields were analogous: the Hebrew, when selling himself, received as much as a hireling would have earned from the day of the transaction to the Year of jubilee (ver. 50); therefore, when he was redeemed, he had to pay back to the master that sum less the amount which he would have earned as a hireling from the day of bondage to the day of release; and hence, "if there were yet many years behind, in proportion to them he was to return the price of his redemption out of his purchase money; and if there remained but few years to the Year of jubilee, then he was to count with him; in proportion to his years was he to return the price of his redemption" (vers. 51, 52).

But while the Hebrew was, under all circumstances, only the temporary servant of the heathen stranger, the stranger might be held as a perpetual and hereditary bondman by the Hebrew. This distinction will not be found surprising. The stranger was, in the latest codes of the Pentateuch, placed on an equal footing with the Hebrew in matters of charity, of jurisdiction, and even

of religious privilege (see *supra* p. 436); but it cannot be expected, that he should have been so treated likewise in matters of theocratic organisation. No Israelite was for ever to be alienated from the possession of his ancestors, because the permanent existence of all Hebrew families was necessary for the maintenance of the holy community as constituted by God's directions; but the heathen strangers could not be objects of similar solicitude; they had, as a rule, no landed property in the Hebrew settlements, in which they lived scattered and isolated; to them, therefore, the Year of jubilee could have no social or political significance; and hence — so argued the legislator — in remaining perpetual bondmen and hereditary chattels, they lost no essential right or prerogative.

These are the only points in which the levitical ordinances regarding the stranger fall short of the strictest demands of humanity. Even the high-minded Philo, endeavouring to justify our law, observes, that "Moses intended, in the first place, that there should be a difference between one's countrymen and strangers; and secondly, he did not desire completely to exclude from the constitution that most indispensable property — slaves"; for even Philo declared a stranger to be "a person that has no right to a participation in anything" (*Philo*, De Septen. ca. 8, 16; comp. *supra* p. 417).

It was not unusual among the

maids, whom thou mayest have, *shall be* of the heathen that are round about you; of them you may buy bondmen and bondmaids. 45. Moreover, of the children of the sojourners that dwell among you, of them you may buy, and of their families that *are* with you, that they begat in your land; and they may be your possession.

Hebrews for people in poverty or debt, to sell themselves and their children even to heathens (Nehem. V. 8), or to be sold to their creditors. The old "Book of the Covenant" provides for the case that "a man sells his daughter to be maid-servant" (Exod. XXI. 7), which, according to the Hebrew law, he had the power to do (see *supra* p. 407). In the earlier part of the monarchical period, a prophet's widow complained to Elisha, that "the creditor had come and taken away her two sons to be his bondmen", and had thus left her wholly destitute (2 Ki. IV. 1). The same practice still prevailed in the time of the exile, and grew into an oppressive abuse; the people came with complaints to Nehemiah, saying that, having mortgaged their lands, their vineyards, and their houses, to buy corn and to pay the king's tribute, they were obliged "to bring into bondage their sons and their daughters to be servants", without any hope of ever being able to redeem them (Neh. V. 1—5). The rich were indeed severely rebuked by the zealous reformer for their heartlessness, and they promised redress; but the ruthless custom seems to have continued as before; and in one of his finest parables Christ introduces a king, to whom one of his subjects owed a large sum; and "as the man had not the money to pay, his lord commanded him to be sold, together with his wife and children, and all that he had" (Matth. XVIII. 23—25). It is

remarkable that not even in the time of Nehemiah allusion was made to the relief provided by the six years' term fixed in Exodus, or by the Year of jubilee described in our section: the explanations given in the preceding remarks will account for that silence.

We need hardly observe that the Hebrews were not singular in the rude usage under discussion (comp. *Dion Chrysostom. Orat. XV, vol. I. pp. 265—267 ed. Dind.*). The Roman law of the Twelve Tables adjudged to the creditor the person of the debtor, whom he might sell as a slave or kill; and if there were several creditors, they might, according to the letter of the law, cut the debtor's body in pieces and share them between themselves (see *Gell. XX. 1; comp. Comm. on Exod. p. 435*). Among the Gauls, "those who were pressed by debt or by excessive taxes, or by the tyranny of the more powerful, gave themselves in vassalage to the nobles, who possessed over them exactly the same rights as masters had over their slaves" (*Cæs. Bell. Gall. VI. 13*). The old Germans, passionate dice-players, are related "to have often set their liberty and persons upon the last throw"; and if they lost, "they patiently suffered themselves to be bound and sold" (*Tacit. Germ. c. 24*). Not precisely parallel is the case of those who, like the Penestæ in Thessaly, or the Mariandyni in Heraclea, of their own accord subordinated themselves to a power-

46. And you may take them for yourselves as an inheritance for your children after you, to obtain *them* for a possession; they may be your bondmen for ever: but over your brethren the children of Israel, you shall not rule one over another with rigour.

47. And if a stranger, and *that* a sojourner, becomes

ful community, and in return for the protection they enjoyed performed slavish services, though "many of them were richer than their masters" (*Athen.* VI. 84, 85).

Later Judaism admirably grasped and developed the spirit of our ordinances. Philo starts from the principle, "By nature the servants are born free, for no man is by nature a slave" (φύσει θεράποντες μὴ ἐλεύθεροι γηγόνασιν κτλ.) — the exact opposite of Aristotle's doctrine, "A slave is an animated tool, and a tool is an inanimate slave (ὁ δούλος ἐμψυχὸν ὄργανον κτλ.), whence there is nothing in common" between master and slave, and certainly no friendship can exist between them (*Arist. Ethic. Nic.* VIII. 11; comp. *Polit.* I. 3—6). Again, Philo enjoins the utmost kindness towards slaves; he points out, that Moses calls the poor the "brother" of the rich (ver. 39), in order "to implant in the mind of the owner an idea of relationship to his servant, that he may not neglect him as a stranger towards whom he has no good-will"; for those who are sold to others are, according to the Law, not really slaves (δούλοι) but only servants (θῆτες) and hirelings, being temporarily in distress, and giving some things while receiving others. Even the Sabbath he considers partially to have been appointed "as a kind of spark and kindling of freedom", to teach the slaves not to despair of better prospects, but to hope for a complete release to come in due

time; and when this time has arrived, the masters should rejoice to have an opportunity "of doing a service to that most noble of all beings, man, in the most important of all blessings, freedom"; he should dismiss him cheerfully, and moreover supply him with abundant means for his future support and independence (comp. *Philo*, *De Septen.* cc. 7, 9). Plato, on the other hand, advises the master to keep his slaves well, not for their sake but for his own; he should indeed behave towards them with as little insolence as possible, but it would be very foolish to treat them as if they were free men, and thus make them arrogant (*Plat. Legg.* VI. 19; comp. *Athen.* VI. 87). Jesus Sirach recommends indeed, that the slave should be accustomed to habits of industry, which might be enforced even with severity and by correction; but he also recommends, "If thou have a slave, let him be as thyself; . . . if thou have a servant, treat him as a brother" (*Sir.* XXXIII. 24—31). Pseudo-Phocylides, likewise an Alexandrian Jew, and probably a near contemporary of Philo, treats of slavery in the same spirit of fairness and mercy (vers. 223—227); he first enjoins upon masters not to give their slaves insufficient food, which exhortation seems to have been much needed in his time (comp. *Jerem.* XIV. 126); he next forbids them to mark or brand their domestics, as they had no right to disgrace them for ever (comp. *supra*

prosperous by thee, and thy brother becomes poor by him, and is sold to the strange sojourner by thee, or to the foreign offspring of the stranger's family: 48. After that he has been sold he may be redeemed again; one of his brethren shall redeem him: 49. Either his uncle or his uncle's son shall redeem him, or *any* one

p. 429); and he impresses upon them not to disdain the advice of a well-disposed slave (λαμβάνει καὶ βουλὴν παρὰ δούλου εὐφρονέοντος); while he warns strangers not to do harm to servants by speaking ill of them to their masters (comp. Prov. XXX. 10).

It cannot, therefore, be surprising, that the denouncement of slavery in whatever form originated in Judaism. Among the Essenes, "there was not a single slave, but they all were free, offering each other their good offices; they condemned masters not only as unjust, because destroying equality, but as impious (ὡς ἀσεβῶν), because violating the ordinances of nature, who has created all as equals, and who, as their common mother, intended all to be true brothers, not only in name but in reality". (ὡς ἀδελφοὺς γνησίους κατὰ; *Philo*, Quod omnis prob. lib. c. 12, Opp. II. 457; comp. De Vit. contemplat. c. 9, Opp. II. 482, ἡγοῦμενοι συνόλωσ τὴν θειασμένην τῶν δούλων κατὰ εἶναι παρὰ φύσιν).

But it is not our intention in this place to discuss a subject of which we have treated with some fulness before, and to which we shall have occasion to return again; we merely desired to illustrate the Hebrew laws of slavery by contrasting them with the views of some of the greatest and humanest thinkers of antiquity (see Comm. on Exod. pp. 380—391).

The Rabbins define "the service of a bondman" (עֲבָדָה, ver. 39) as one of so degrading and humili-

liating a nature as to make the dependent condition strikingly apparent; they declare, therefore, for instance, that a man must not let his Hebrew slave attend him at his bath, nor make him tie up and undo his sandals; nor ought he to make any difference between himself and his slave in dwelling, food, and cleanliness of garments; they contend that the command not to sell a Hebrew "as bondmen are sold" (כְּעֶבְדֵּי כֶסֶף ver. 42), implies that he should not, as was the custom, be disposed of "on the auction stone" by proclamation, nor in the public places, but in private and with all possible consideration; and they teach that "ruling over a slave with rigour" (ver. 43) means that the master must not force him to learn a new trade, and that he should not let him work incessantly, but set him reasonable tasks, and when he has finished them, to allow him rest. — Yet they make all these concessions only in favour of those who have been sold into slavery by others whose just claims they were unable to satisfy, but not of those who sell themselves of their own accord: Hebrews who so forget their dignity, might in every respect be treated as bondmen (comp. *Siphra* in loc. Behar c. 6, and *Mechill.* on Exod. XXI. 2; *Maim.* Hilch. Avadim c. 8; *Selden*, De Jure Nat. et Gent. VI. 8, pp. 709—713; see *M. Mielziner*, Über die Verhältnisse der Sklaven bei den alten Hebräern nach biblischen und talmudischen Quellen dargestellt, Kopenhagen 1859; *Zadoc*

that is near of kin to him of his family shall redeem him; or *if* he becomes prosperous, he shall redeem himself. 50. And he shall reckon with him that bought him from the year that he was sold to him to the year of the jubilee; and the price of his sale shall be according to the number of years; like the time of a hired

Kahn, L'esclavage selon la Bible et le Talmud, 1867; comp. also *Hengstenb.* Authent. des Pent. II. 435—441, offering apologetic remarks against Vater, De Wette, and George; *Kranold* and *Wolde*, De anno Hebraeorum jubilaeo, 1837; *Hug*, Über das Mosaische Gesetz vom Jubeljahr, in Zeitschrift für das Erzbisthum Freiburg I. 1 sqq.; *Keil*, Archäol. I. 371—380; *Öhler* in Herz. Real-Encyclop. XIII. 204—213; etc.).

PHILOLOGICAL REMARKS.—Interpreters anxious to harmonise our law with that of Exodus (XXI. 1—6) of course assume, that if the Jubilee takes place before the expiration of six years' service, the slave then already goes out free (see f. i. *Rashi* on ver. 40); but in our text no allusion whatever is made to the term of six years; and both passages are so strikingly different in style, spirit, and tenour, that all attempts at proving their agreement necessarily fail (comp. f. i. *Michael*. Mos. R. § 127; *Hengstenb.* Authent. II. 438—441; *Saalschütz*, Mos. Recht, pp. 160—162, 698—708; Archäol. II. 240; *Öhler* in Herz. Real-Encycl. XIV. 269, 270). Some of the expedients that have been resorted to are:—the law of Exodus was in force for the first forty-four years of each Jubilee period, but our command for the last six years; which is the orthodox Jewish view above referred to; or the former applies to persons sold into slavery by the legal authorities for theft, the latter on account of poverty; or the former treats of pagans that have become

Hebrews by naturalisation, or are born in a Hebrew family, or have emigrated from the old Mesopotamian home of the Hebrews, the latter of native Israelites. These and similar devices are wholly without Scriptural foundation. Hardly less tenable is the singular opinion that, at first, the release of slaves in the seventh year was instituted, as stated in Exodus; that, when this law was no longer complied with, the author of Leviticus confined himself to commanding the release in the Jubilee; but that subsequently the Deuteronomist restored the old law (so Ewald a.o.; comp. also *Riehm*, Gesetzgebung etc. p. 72, "the Deuteronomist derived his provisions from the oldest statute in Exodus, and took no notice of the later and contradictory law in Leviticus"). Such unhistorical assumptions are inevitable, if the legislation of Leviticus is placed anterior to that of Deuteronomy; whereas, if their succession is reversed, the laws of slavery manifest an organic progression free from planless fluctuations. — The Hebrew slave was to be with his master "as a hired servant sojourning with him" (עֶבֶד כְּסוֹמֵךְ ver. 40; see ver. 6), that is, as one over whom he has no absolute and permanent power, and who may leave him at his pleasure; he must therefore not use his authority cruelly, nor wear out his fellow-citizen with oppressive labour (לֹא יִצְרֶהוּ עֶבֶד, ver. 43; comp. Exod. i. 13, 14; Onk. and Jon. עֶבֶד). The Rabbins assert, that the children of a Hebrew slave

servant shall he be with him. 51. If *there be* yet many years *behind*, in proportion to them he shall return *the price* of his redemption out of his purchase money. 52. And if there remain *but* few years to the year of the jubilee, then he shall count with him; in proportion to his years shall he return *the price* of his redemption.

went out free with him in the Jubilee (ver. 41) only if they had been born of a free Hebrew wife before his entering into servitude, whereas they remained the master's property if born of a slave whom he had given him as a wife (comp. *Selden* l. c. VI. 7; *Mielziner* l. c. p. 34): this is merely an interpretation of our law after the analogy of Exod. XXI. 4; for a tradition on the subject did not exist. — Perpetual bondmen (called עֲבָדֵי כֶסֶף, as the χρεωσθέντες of the Cretans, *Athen.* VI. 84, in contradistinction to עֲבָדֵי בֵּית slaves born in the house, Gen. XVII. 12, 13, 23, 27) might be bought from the surrounding heathen nations (not from the tribes of Canaan, which were meant to be exterminated, Deut. XX. 16—18; comp. however, Judg. I. 19, 21, 27—35; II. 21—23; III. 1—5; etc.), or from the children of resident strangers (עַמֵּי הָאֶרֶץ ver. 45, or עַמֵּי הָאֶרֶץ ver. 47), or from their relations "who may be born in the land" of the Hebrews (עַמֵּי הָאֶרֶץ ver. 45). The latter words describe the ordinary and most frequent case; but they are not intended to make birth in Canaan an indispensable condition for acquiring resident strangers as bondmen, since the Hebrews were permitted to take as hereditary slaves even foreigners totally unconnected with their community (ver. 44). — עֲבָדֵי הָאֶרֶץ (ver. 46) is "to appropriate to oneself as one's portion, property, or inheritance" (comp. Num. XXXII. 18; XXXIII. 54; XXXIV. 13; Isai. XIV. 2; Ezek. XLVII. 13),

different from עֲבָדֵי הָאֶרֶץ which is simply "to give or leave as an inheritance" (comp. 1 Chr. XXVIII. 8, וְהָיָה לְבֵיתִי; Deut. I. 38; III. 28; XII. 10; XXI. 16; etc.); the latter sense is here incorrectly expressed by Sept. (καὶ καταμερίσῃτε αὐτοὺς τοῖς τέκνοις ὑμῶν) Vulg. (ethereditario jure transmittetis), a. o.; but the former one correctly by Rashi (עֲבָדֵי הָאֶרֶץ לְבֵיתִי, a. o. — On עֲבָדֵי הָאֶרֶץ (ver. 47) see ver. 26, p. 561. — "And if a stranger, and that a sojourner, becomes prosperous by thee": thus the two Hebrew words must evidently be translated (Rashi aptly עַמֵּי הָאֶרֶץ), the particle וְ in עַמֵּי הָאֶרֶץ introducing the noun עַמֵּי הָאֶרֶץ as a qualification of the preceding term עַמֵּי הָאֶרֶץ (as in עַמֵּי הָאֶרֶץ in ver. 33, see p. 566); and hence immediately afterwards עַמֵּי הָאֶרֶץ וְ עַמֵּי הָאֶרֶץ alternates with עַמֵּי הָאֶרֶץ; both words are not precisely synonymous (*Ewald*, *Alterth.* p. 245), עַמֵּי הָאֶרֶץ being the generic appellation, עַמֵּי הָאֶרֶץ a specific class. — עַמֵּי הָאֶרֶץ (from עָרַץ to tear out, to uproot) is properly uprooting, then an uprooted and transplanted shoot, and therefore, figuratively, a *foreigner*, who has left his native country and settled in a strange land, in contradistinction to the עַמֵּי הָאֶרֶץ or native. The Septuagint and Vulgate do not render the word at all (ὁ ἐκ γενεῆς προσηλύτης, aut cuipiam de stirpe ejus); many give some general word, as *stock* (Luther Stamm, Engl. Vers. a. o.), or *offspring* (De Wette, Keil, Sprössling, a. o.), or *root* (Ebn Ezra שֹׁרֵשׁ); but Targ. Onk. has עַמֵּי הָאֶרֶץ to the Roman, that is, the heathen; and

53. As a yearly hired servant shall he be with him: *and the other* shall not rule with rigour over him in thy sight. 54. And if he be not redeemed by these *relations*, then he shall go out free in the year of jubilee, *both* he and his children with him. 55. For to Me the children of Israel *are* servants; they *are* My servants, whom I brought forth out of the land of Egypt: I *am* the Lord your God.

similarly many Jewish interpreters, as Targ. Onk. "if he sells himself to the root (לִשְׁרֵט) of idolatry (that is, to the idol himself), to serve him and his worshippers" (*Talm. Bab. Mets.* 71^a, וְהָיָה שֶׁנִּשְׁמַר לְעִבְרֵי אֱלִילִים כְּעֹשֶׂה, and he is called עֶבֶד, because he tears himself away from all his occupations, in order to give himself up to idolatrous service; *Yalkut* (לִשְׁרֵט), Rashi, Kimchi, a. o. — The conjunction "after" is expressed by אַחֲרַי and אַחֲרַי with or without אַחֲרַי; thus אַחֲרַי אַחֲרַי (XIV. 43), and אַחֲרַי אַחֲרַי (ver. 48) *after he has been sold*; comp. I Sam. V. 9 (אֲחֵרֵי הַכְּבוֹד). — אֶחָד (ver. 49) "one that is near of kin to him"; see on XVIII. 6, p. 389. — The Hebrew slave shall be with his heathen master אֶחָד (ver. 50) "like the days of an hireling," that is, his services shall be reckoned like those of an ordinary day labourer, and their value shall be accordingly estimated in fixing the price of his redemption; or he shall be with his master אֶחָד (ver. 53) "as a hireling from year to year," that is, as a yearly hireling, who after a short term may leave his employer, if he finds him

too exacting. — אַחֲרַי אַחֲרַי (ver. 51) *if there be yet many years behind*, literally, "many of the years", viz. till the Jubilee, אַחֲרַי having the force of a partitive genitive; or אַחֲרַי, the feminine in the plural, may be taken as representing the neuter (a great deal or portion, much, comp. Isai. XLII. 20; see Gramm. § 84. c.), like אַחֲרַי in the following verse אַחֲרַי אַחֲרַי (ver. 52) *and if there remain but little of the years* (few years) *to the year of jubilee*. — The slave goes out free in the Year of jubilee אַחֲרַי אַחֲרַי (ver. 54) "if he is not redeemed by these" viz. the relations mentioned before (in vers. 48, 49); the less common case that the slave redeems himself does not seem to be considered; unless אַחֲרַי be taken in a general sense "by these means" or "in any of the ways mentioned" (so Engl. Vers. Marg. Knobel, a. o.); others translate, with little probability, "in these years" (Ebn Ezra, Engl. Vers., a. o.), that is, within the years still left till the Jubilee, to which orthodox interpreters naturally add, "and if he has not been released before by the expiration of his six years' term".

IX.
PROMISES AND MENACES.
CHAPTER XXVI.

SUMMARY. — Prohibition of idol worship, and repetition of previous injunctions with regard to the Sabbaths and the Sanctuary (vers. 1, 2). — Then follows an elaborate address promising to the Hebrews the most perfect happiness if they obey the Divine laws (vers. 3—13), and threatening them with terrible and increasing punishments if they are rebellious (vers. 14—40); yet the author holds out to them the hope of ultimate restoration to national prosperity, if they repent and humble themselves before God (vers. 41—45). — A statement, that the Sinaitic laws are completed (ver. 46).

1. You shall make for yourselves no idols, nor shall you rear up for yourselves *any* graven or standing image,

1, 2. "To Me the children of Israel are servants; they are My servants whom I brought forth out of the land of Egypt": with these words, proclaiming the absolute sovereignty of God over the Hebrews, concluded the laws of the Sabbatical year and of the Jubilee. Therefore our Book might well continue: "You shall make for yourselves no idols, nor shall you rear up for yourselves any graven or standing image . . . to bow down before it, for I am the Lord your God" (ver. 1); and this command, in its turn, seems to point forward to the caution, that if the Hebrews still adopt heathen worship, God will "destroy their high places, and

cut down their images, and cast their carcases upon the carcases of their idols" (ver. 30). Again, as the institutions of the Sabbatical year and the Jubilee intensify the idea of the weekly Sabbath, and supplement the circle of annual festivals, they might well be followed by the short but all-embracing command, "You shall keep My Sabbaths" (ver. 2); while this injunction, on its part, seems to prepare the reader's mind for the subsequent warning, that if the Hebrews do not observe the Sabbaths, they will be driven from their land, which shall then, in its desolation, keep the years of rest that had been neglected (vers. 34, 35, 43). And

nor shall you set up *any* memorial of stone in your land, to bow down upon it; for I *am* the Lord your God.

lastly, as the service at the common Temple was the chief test of the people's piety, the behest to keep it undefiled and to "reverence God's Sanctuary", seems appropriately to precede the announcement of the future destinies of the nation; and it derives greater force from being apparently adverted to both among the promises and the menaces, God declaring, on the one hand, "I will set up My dwelling among you . . . and I will walk among you" (vers. 11, 12); and on the other hand, "I will bring your Sanctuaries into desolation, and I will not smell your sweet odours" (ver. 31). — Thus then the two first verses of our chapter seem fitly to occupy their place between the larger sections which precede and follow them. They contain two commands of the Decalogue — on idol-worship and the Sabbaths —, and a third which stands in the closest connection with one of them, since the Sabbaths were chiefly celebrated at the Sanctuary (see *supra* p. 431; comp. XX. 8; XXI. 12, 23).

PHILOLOGICAL REMARKS. — We have attempted these explanations with a view of pointing out the logical thread which may possibly have guided the compiler of the Book in inserting the two verses in this place; but we confess, that even if we should have correctly interpreted his conceptions, we are by no means convinced, that the commands were originally written for this context. Upon every unbiased reader they must make the impression of occupying an isolated position, belonging organically neither to the ordinances of the Sabbath-periods, nor to the announcement of the blessings and curses.

They occur almost literally in previous portions (see XIX. 3, 4, 30; and notes in locc.); and there is no cogent reason why they should here have been inserted again. This repetition, inexplicable if we assume the continuous composition of our Book by one author, may well be accounted for if we consider the gradual completion of the Book from many and heterogeneous sources. "The incorporation of the two laws on idolatry and the Sabbaths", observes De Wette (*Beiträge*, II. 299), "seems to be quite purposeless, and can only be accidental: the compiler found these lines; and by embodying them in his collection, he desired to prevent them from being lost". Critics will probably abide by some such conclusion. The abnormal place of these verses has indeed been generally felt, and it has been supposed, that they properly belong to the preceding chapter (*Bertheau*, *Gruppen*, p. 217); or that they form a fit conclusion to the Sinaitic legislation which, by re-enjoining the purity of Divine worship and the holiness of the Sabbaths and the Sanctuary, "returns to its first beginning" (*Exod.* XX. 1—11; *Baumgarten*, *Levit.* p. 237); or that they were originally prefaced by some introductory formula, which the later reviser omitted when he connected them with the laws of the Jubilee (*Knobel*, *Lev.* p. 574); since both chapters were meant to be inseparably united (*Ranke*, *Untersuch.* I. 109). Yet some writers really consider them as "a proper introduction" to the blessings and the curses (*Keil*, *Lev.* p. 157; *Högner*, *Lev.* p. 350), or as a part of a connected "speech" appropriately beginning with a few fundamental laws, which

2. You shall keep My Sabbaths, and reverence My Sanctuary: I *am* the Lord.

special importance for the Israelites living in exile among heathen nations (*Graf*, Geschichtl. Bücher, p. 80): but the first verse expressly alludes to Canaan (כנען), and the second to the Temple (מקדש). — On מַזְבְּחֹת “non-entities” or idols, which word occurs nowhere else in the Pentateuch except in the nineteenth chapter (ver. 4) that has many analogies with ours, see *infra* on vers. 3—13; on מַזְבֵּחַ a statue or pillar with distinct attributes of some deity, and on מַזְבְּחֵי יָהּ (ver. 1) memorial stones with idolatrous figures or emblems, upon which (לִפְנֵי) the worshippers prostrated themselves, see Comm. on Lev. I. p. 397, and p. 371 notes 18, 19, 21, 22. In Ezek. VIII. 12 “chambers with figures” (חַבְּדֵי חֲזָיוֹן) are mentioned, that is, chambers the walls of which were covered with emblematic representations of idol-worship (comp. *ibid.* ver. 10; Prov. XXV. 11). Kimchi believes the word חֲזָיוֹן signifies “beholding” (הִשָּׁתָּהוּ), since people “look at” images; the Septuagint also renders λιθός οὐρανός, but this term means “tutelary stone” placed as a protection against evil; Vulg. lapidem insignem (Rosenm. lapidem speculatorem, i. e. vigilem, custodem, ut esset προφυλακτικόν quiddam); but it cannot be simply “an idol or image of stone” (so the Targum, Syriac, a. o.); Spencer understands obelisks, Michaelis and Mendelssohn columns with hieroglyphic inscriptions (comp. *Spencer*, Legg. Ritt. I. II. c. 22, pp. 443—449; *Rosenm.* Schol. in loc.). Jewish tradition strangely supposes that such stones were chiefly consecrated to Mercury. It is well known, that among the earliest symbols of the sun and the moon — of

Baal and Ashtarte — were cubical and conical stones or obelisks with rude figures of the deities upon them, and many such piles with vestiges of a human face have been found in various parts of Arabia and Syria. “Monarchs have entered into a sort of rivalry with one another”, observes Pliny (XXXVI. 8 or 14), “in forming elongated blocks of this stone (the syenites, a sort of red granite), known as obelisks and consecrated to the divinity of the Sun; the blocks had this form given to them in resemblance of the rays of that luminary, which are so called in the Egyptian language; Mesphres, who reigned in the city of the Sun (Heliopolis), was the first who erected one of these obelisks.” In Pharae in Achaia, near a celebrated statue of Hermes, there were “about thirty square stones, each of which was worshipped by the people under the name of a different deity; and indeed in early times rough stones were throughout Greece revered as images of gods” (*Pausan.* VII. xiii. 4). “The Arabians”, says Maximus Tyrius (*Dissert.* XXVIII.), “worship a deity which I cannot name; but the image I saw was a square stone; the people of Paphos pay special homage to Venus, and her statue resembles most a white pyramid”; comp. *Apollon. Rhod.* Arg. II. 1175, 1176 (μέλας λιθός ἱερός, ποτε πάσαι Ἀμαζόνες σέβοντο); *Euseb.* Praep. Ev. III. 7; *Herodian.* V. iii. 5 (describing the statue of Heliogabalus, λιθός δὲ τις ἔστι μέγιστος κτλ.); *Amm. Marc.* XVII. 4; *Selden*, De Diis Syris, pp. 223, 291, 292; *Meiners*, Geschichte der Religionen, I. 391; *Gesen.* Monum. Phoen. tab. 21—24; and *infra* on ver. 30,

3. If you walk in My statutes and keep My commandments, and do them; 4. Then I will give you rain

ad עֲרֵב. A similar purpose was served by the sacred stones so frequently mentioned under the name of *Bactylia* (see Comm. on Lev. i. c. note 20). That all the forms of idol-worship here interdicted — by images of wood and stone, of gold and silver, by pillars and memorial-blocks — flourished among the Hebrews until the latest time of the monarchy, and were but gradually banished after their return from the exile, has been proved before; in our very section allusion is made to "heights" (עֲרֵב) and "sun-images" (עֲרֵב) and idols (ver. 30); and the prohibitions could, therefore, not be repeated too often nor too emphatically (comp. l. c. pp. 377—379).

§ — 12. The levitical compiler had now collected all the ordinances and narratives which seemed to him important for individuals and the community, and apt to promote a pious life and the organisation of the theocracy; and he was anxious to conclude the "Sinaitic" laws with a general exhortation setting forth, under Divine authority, the rewards of a strict adherence to the Law, and the fearful disasters that must follow its transgression. He found, in the sacred writings of earlier periods, ample precedents to support him in his plan. He was aware, that the old "Book of the Covenant" finishes with emphatic promises that, if the Hebrews obeyed the voice of the "messenger" sent by God, He would be "an enemy to their enemies, and an adversary to their adversaries"; that He would drive the heathen tribes from the land destined for their occupation; that He would "bless their bread and their water, and remove sickness from their

midst"; that He would make them fruitful, and grant them long and happy lives (Exod. XXIII. 20—33, see *infra* on vers. 14—17). Again, our compiler was aware that, in Deuteronomy, the full and eloquent recapitulation addressed to the people by Moses himself, is wound up with a grand proclamation of blessings and curses which has hardly its equal in impressive and soul-stirring pathos (Deut. XXVIII—XXX.) And he had seen, more recently, how the prophet Ezekiel entwined his ideal legislation now with insinuating promises and now with appalling menaces (comp. also XVIIII. 24—30; XX. 22—26; XXII. 31—33; Deut. XI. 13—20). He was fully equal to the self-imposed task, and his composition yields to no similar effort in power and skill. He owed indeed his *ideas*, in a very great measure, to the two first named of his predecessors, the author of the legislation of Exodus and the Deuteronomist; and he formed his *style* so strikingly upon that of Ezekiel that we can at least account for, though we do not share, the opinion, that the prophet himself wrote this portion (see *supra*, p. 386, and *infra* Phil. Rem.). But his arrangement of matter is so lucid and so appropriate, and his language shows yet so much force and freedom, that the composition has all the freshness of originality, and never fails to produce a thrilling effect.

Both as a parallel and a contrast we quote the conclusion of a Hindoo code: "When the Rishis had heard these laws from the mouth of Yajna-vaikya, they thus addressed the high-souled and most illustrious prince of the Yogins: — Those who zealously

in due season, and the land shall yield its increase, and the trees of the field shall yield their fruit. 5. And

preserve this book of laws, shall gain glory in this world and shall enter into heaven; he who strives after knowledge, shall obtain knowledge; he who desires wealth shall acquire wealth, and he who wishes to live shall live long. Even if a man repeats only three slokas from this book, his ancestors shall gain imperishable bliss: of this doubt not. By keeping this book, the Brahman will be a righteous man, the Kshatriya shall be victorious, and the Vaisya rich in corn and every other possession. He who explains this book to the twice-born when the moon changes, shall receive the reward of the great horse-sacrifice. Thou, o lord, wilt grant it" (*Yājñav. III. 329—334*).

An attentive analysis shows, that this entire section (vers. 3—46) was written during the exile, and not later; it contains no distinct allusion to the actual restoration of the Jews to their own land, but merely hopeful anticipations of this event; and the last verses (the 44th and 45th) are as plain as can be expected in a composition shrouding facts in the veil of prophecy: "And yet even so while the Hebrews are in the land of their enemies, I do not cast them away, nor do I abhor them (אֲבִי אֶתְכֶם אֲבִי אֶתְכֶם), to destroy them utterly, and to break My covenant with them; . . . but I will for their sakes remember the covenant of their ancestors" etc. There is nothing in these words that leads us beyond the misfortunes of the captivity. But as the Book of Leviticus includes ordinances originating considerably more than a century after the return from the exile, for instance, those on the Day of Memorial, the Day of Atone-

ment, and the Jubilee, it is evident that our portion was found, not composed, by the final compiler or reviser of the Book; and this fact helps us to account for its resemblance both to Deuteronomy and the writings of Ezekiel, since its date was not far distant from either. — It would be difficult to argue with those who insist upon attributing the whole of this section to the Mosaic time; for the indispensable basis of argument is the disposition to analyse historical documents historically. "The opponents of the Mosaic authorship of these pledges and threats", observes a recent interpreter, "forget that, even irrespective of a higher inspiration, the chief idea which underlies them, must have been vividly before the eye of Moses. He could easily foresee that the worldly-minded and profane people would not fulfil the severe demands of the Law, but would frequently rebel against God; that therefore times of happiness would alternate with times of distress, but that finally God's mercy would pardon His sorely tried and humbled people, and gloriously complete the work of salvation" (*Keil, Levit. p. 157*). These views are reproduced in one of the latest Commentaries (*Cook's Holy Bible, Lev. p. 643*), the writer of which moreover adds: "It is indeed an inspired Prophecy in the true sense of the word, an utterance of the Spirit regarding the present and the future. . . . But Moses knew the human heart, and he was acquainted with the temper and disposition of his own people. . . . He knew that such a law as that of the Sabbatical year would run counter to their selfishness and

your threshing shall reach to the vintage, and the vintage shall reach to the sowing time; and you shall eat

avarice" (comp. also *Baumgarten*, Lev. pp. 238, 240; *Hengstenb.* Auth. des Pent. II. 330—335; a. o.). Reasoning like this may indeed have been in the mind of the compiler of our Book, and may have induced him to venture the incorporation of this chapter; but it cannot satisfy those who, looking more closely at the wording and the tenor of these verses, find reflected in them not possible, but actual, events and conditions. For while the promised blessings are so enthusiastic that they could never have been realised, and might well be described as Messianic, the threatened calamities and the sins which occasioned them are delineated with such plain distinctness, that they might almost serve as a foundation for constructing the history of the Israelites from the eighth to the sixth century. We have brought before our eyes not only the people's stubborn idolatry, but the very forms of their strange worship, including such details as the little statues of the sun (עֲצֻזֹת, ver. 30); we see not only the hostile invasion, the defeat, and the flight (vers. 16, 17), but the awful scenes of sieges when parents "ate the flesh of their sons and the flesh of their daughters" (ver. 29); not only pestilence and failing crops and famine (vers. 19, 20, 26), but the population mercilessly massacred, fields desolated, cities levelled with the ground, the Temple in ashes, and the land occupied by the foreign conqueror (vers. 30—32); nay we follow the miserable Hebrew captives into the land of their dispersion; and while they are there pining away, their land lies an uncultivated waste, and at last keeps the Sabbatical years,

which, we learn, neither they nor their fathers had kept while they dwelt in it (vers. 33—43). The picture, so clear and so familiar, is a likeness drawn from life. And the features rapidly glanced at lead us to the Babylonian exile: there had been invasions, devastations, and partial dispersions before (Joel IV. 1, 2; Hos. XI. 10, 11; Isai. XL. 11); the Pentateuch itself repeatedly announces similar disasters as imminent (Deut. IV. 26—30; XXVIII. 36, 49, 64; XXIX. 27; XXX. 18; XXXII. 21—27); but our chapter evidently describes the actual subjugation of the whole land, and the actual captivity of the whole people; it cannot, therefore, refer to the conquest of the northern provinces by Pul (770), nor to the abduction of the east-Jordanic tribes by Tiglath-pileser (740), nor even to the destruction of the kingdom of Ephraim by Shalmaneser (720), all which opinions have been advocated (by *Bleek*, Repert. I. 55; *Ewald*, Gesch. I. 155, 156; *Lengerke*, Ken. p. XCIII; *Nöldeke*, Untersuch. p. 66; a. o.); none of these events brought the fortunes of the entire Hebrew nation so low as they are portrayed in our chapter with such terrible truth. Even apologetic writers could not fail to see that "no solid argument for the lateness of the composition can be obtained, unless we bring it down below Josiah, to the period of the Captivity" (*Cook's Holy Bible*, Lev. p. 643).

In depicting the glorious rewards of pious obedience, our author gathers his traits from the works of all prophets who had gained popular authority, from the earliest down to his own contemporaries, from Amos

your bread to satisfaction, and shall dwell in your land in safety. 6. And I will give peace in the land, and

and Hosea to Ezekiel and the second Isaiah; he writes only with the one object of rousing and stimulating his apathetic compatriots, many of whom, it may be, had abandoned all hope of deliverance; he does not stop to enquire what blessings are probable or possible; but boldly soaring into the sphere of the ideal, he trusts that the fervour of his readers will be kindled by his own. He promises rain in its due time, and such unparalleled fertility that the crops of one year shall be abundantly sufficient for many seasons; tranquil and peaceful enjoyment of this prosperity; constant increase of the population; security from the ravages of wild beasts and from hostile invasion; in case of foreign war, easy and complete victory; the Divine presence hallowing the land; and the Divine power protecting the people. And to convince them that their God is well able to bestow upon them wealth and happiness, he reminds them that it was He who once released their forefathers from Egyptian bondage. These promises admirably advance from material to spiritual benefits, from well-being to holiness, which is peace and truth and righteousness.

In order to prove how much our author is indebted to anterior writers, we shall give below the chief analogies to every individual phrase (see Phil. Rem.); here we shall only insert a few verses from the Book of Ezekiel, which will show at a glance that they served as the foundation for our passage: "And I will make with them a covenant of peace (בְּרִית שָׁלוֹם), and I will destroy evil beasts out of the land (וְהִסְרֵם חַיֵּי הָאָרֶץ), and they shall dwell

safely in the wilderness (וְשָׁבוּ בְּטָהוּרָה), and sleep in the woods. And I will make them and the places round My hill a blessing, and I will cause the rain to come down in its season (וְהָיָה הַגֶּשֶׁם בְּעִתּוֹ); there shall be showers of blessings. And the tree of the field shall yield its fruit (וְהָיָה עֵץ הַשָּׂדֶה פֹּרֵה), and the earth shall yield its increase (וְהָאֲדָמָה תִּפְרֹחַ), and they shall be safe in their land (וְהָיָה לָהֶם לְבֵטָחָה), and they shall know that I am the Lord when I have broken the bands of their yoke (וְהָיָה אֲנִי לָהֶם לְבֵטָחָה), and delivered them out of the hand of those who made them bondmen. And they shall no longer be a prey to the nations, nor shall the beasts of the land devour them; but they shall dwell safely (וְהָיָה לָהֶם לְבֵטָחָה), and none shall make them afraid (וְאֵין מִדְּרֹר) . . . Thus shall they know that I the Lord am with them, and that they, the house of Israel, are My people, says the Lord God" (Ezek. XXXIV. 25—30).

Twice annually, as is well known, rain is needed in Palestine to ensure successful crops — "the earlier rain" (הַגֶּשֶׁם הַקָּדֵם or הַקָּדֵם), beginning in the second half of October, at the time of the autumnal sowing of wheat and barley, falling most copiously in December, and continuing, at intervals, to the end of January; and the short "latter rain" (הַגֶּשֶׁם הַאַחֲרָיִם), falling in March at the time of the sowing of the summer-fruit, and before the beginning of the harvest (see Comm. on Gen. pp. 508, 509): hence the promise is given that "the rains" (הַגֶּשֶׁם) will be sent "in their due seasons" (ver. 4), which elsewhere are more distinctly specified (Joel II. 23; Hos. VI. 3; Deut. XL 14; Jer. V. 24; Job XXIX. 23;

you shall lie down, and none shall make *you* afraid; and I will destroy evil beasts out of the land, nor shall

see Phil. Rem.). And the author emphatically describes the produce as so plentiful that the threshing, which begins in April simultaneously with the harvest, will occupy the husbandman until the commencement of the vintage, which takes place four or five months later; and again the vintage will be so abundant that it will not be finished at the seed-time, or in the second part of October (see *supra*, p. 509). The same idea is, however, even more clearly and more poetically expressed by a previous writer in a passage which was manifestly before our author's mind: "The ploughman shall overtake the reaper, and the treader of grapes him that sows seed" (Am. IX. 13; see Phil. Rem.)

PHILOLOGICAL REMARKS. — Without entering upon a full comparison between our section and the corresponding portion of Deuteronomy (XXVIII), we will in this place only observe, that the Deuteronomist, though seeing the national dangers threaten and approach, was still uncertain which of the two powerful empires that were then contending for the supremacy, would absorb Judea, whether Babylon or Egypt; therefore he announced indeed the invasion and the triumph of the Babylonians, whom he described as "a nation which neither they nor their fathers had known", as "a nation that comes from afar, from the end of the earth, as swiftly as the eagle flies" (XXVIII. 36, 49, 50); but he declared also, "The Lord will bring thee into Egypt again with ships, by the way of which I spoke to thee, Thou shalt no more see it again; and there you shall be sold to your enemies for bondmen and

bondwomen, and no man shall buy you" (ver. 63); his apprehensions, though not realised to their full extent, can well be understood, as, in his time, the Hebrews under king Josiah were signally defeated, at Megiddo, by Pharaoh Necho (611). On the other hand, the author of our chapter, writing at a period when the fate of Judah had long been decided, and when his countrymen lived as captives in the districts of the Euphrates, hardly describes their new masters, nor does he find it necessary to mention either the Egyptians or the Babylonians, since he alludes to well-known facts. The style in the address of Deuteronomy is indeed "more diffuse, rhetorical, and moralising" (*Gesen. Gesch. der hebr. Sprache*, p. 32), but these are characteristics of an individual writer, and they afford no argument as to the age of the Book compared with that of Leviticus. On the whole, it may be contended, that the language of Deuteronomy resembles that of Jeremiah, while the language of this and some previous sections of Leviticus has numerous analogies with that of Ezekiel. Yet in spite of these affinities, which will be pointed out in the notes on each verse, our chapter is remarkable for many new idioms and peculiar phrases which occur nowhere else in the Old Testament, and which vindicate for the author a distinct individuality (as שָׁרַף ver. 5 threshing; מִן־הַשָּׁנָה ver. 10 old store that has become old, see *infra*; מִן־הַיָּמִים ver. 13 upright; אֶת־הַלֵּב ver. 16 to grieve; comp. 1 Sam. II. 33 אֶת־הַלֵּב , Gr. § XLVII. 2; לִפְנֵי־הַיְיָ or more frequently לִפְנֵי־יְהוָה vers. 21, 23, 24, 27, 28, 40, 41, to walk contrary to some

the sword. 8. And five of you shall chase a hundred, and a hundred of you shall chase ten thousand; and your

rain and the latter rain"); Deut. XI. 14 ("I will give you the rain of your land in its due season, the first rain and the latter rain"); Jer. V. 24 ("Let us now fear the Lord our God who gives rain, both the former and the latter, in its season"); and Ezek. XXXIV. 26 ("I shall cause the rain to come down in its season; there shall be rain-showers of blessing"); see also Deut. XXXIII. 28; Zech. X. 1; Prov. XVI. 15. — With *הארץ יבילה* and the land shall yield its increase, compare Ezek. XXXIV. 27 (*הארץ תן יבילה*); XXXVI. 29, 30; Ps. LXVII. 7 (*אין נזנה יבילה*); LXXXV. 13; see also Joel II. 19, 22, 24; Hos. IX. 2; Deut. XI. 14; Zech. VIII. 12. — To ver. 5: The first part of this verse is an obvious reminiscence or reproduction of Am. IX. 13, *יִקַּח ה' בְּיָמָיו וְיִהְיֶה קֶבֶד בְּמִצְרָיִם*; our author has changed the concrete into less poetical abstract nouns, and has rendered the parallelism of the members more regular indeed, but less pithy and forcible. — *זמן* is seed-time, as also in Gen. VIII. 22; or the sowing itself, as in Gen. XLVII. 24. — With *אכלתם לחמכם לעבד* and you shall eat your bread to satisfaction, compare Joel. II. 26 (*אכלתם אכול עבד*); Exod. XVI. 3 (*אכלתם אכול עבד*); Deut. XI. 15 (*אכלתם אכול עבד*); see also Exod. XXIII. 23; Lev. XXV. 19. — With *אבטח* you shall dwell in your land in safety, compare Ezek. XXXIV. 25, 27, 28 (*אבטח*, etc.); see also Ps. IV. 9; Isai. XIV. 30; Deut. XXXIII. 12; Lev. XXV. 18, 19. — To ver. 6: With *אני שלום* I will give peace in the land, compare Ezek. XXXIV. 26 (*אני שלום*); etc. — With *ואין חורב*

and you shall lie down, and none shall make you afraid, compare Isai. XVII. 2 (*ואין חורב*); Mic. IV. 4 (*ואין חורב*); Jer. XXX. 10; Ezek. XXXIV. 28 (*אין חורב*); XXXIX. 26; see also Deut. XXVIII. 26; Jer. VII. 33; Job XI. 19; Zeph. III. 13. — With *ואני חורב* and I will destroy evil beasts out of the land, compare Ezek. XXXIV. 25 (*ואני חורב*), 28; see also Exod. XXXIII. 29 (*ואני חורב*); Isai. XXXV. 9, and *infra* on vers. 21, 22. *אין חורב* is wild beast as in Gen. XXXVII. 20. — With *אין חורב* and the sword shall not pass through your land, compare Ezek. XIV. 17 (*אין חורב*). — To ver. 7: With *ואני חורב* and you shall chase your enemies, and they shall fall before you by the sword, compare Ps. XVIII. 38—40 (*אין חורב*); Deut. XXVIII. 7. — *אין חורב* to fall before or through some one, as in 1 Sam. XIV. 13, and *אין חורב* by the sword (with *ל* auctoris), as in Gen. XIV. 9; Exod. XII. 16; etc. — To ver. 8: With the peculiar idea *אין חורב* and five of you shall chase a hundred, and a hundred of you shall chase ten thousand, compare the remarkable parallels Isai. XXX. 17 (*אין חורב*), where the parallelism is bolder and more elliptical, as might be expected in the original); Deut. XXXII. 30 (*אין חורב*); and Josh. XXIII. 10 (*אין חורב*). — To ver. 9: With *אני חורב* and I will turn to you (that is, be gracious to you, as 2 Ki. XIII. 23, *אני חורב*; not merely "pay attention to you", as XIX. 4, 8; XX. 6) com-

enemies shall fall before you by the sword. 9. And I will turn to you and make you fruitful, and multiply you, and establish My covenant with you. 10. And you shall eat old *store* that has become old, and remove the old on account of the new. 11. And I will set My dwelling among you, and My soul shall not abhor you. 12. And

pare Ezek. XXXVI. 9 (וְהָיִיתִי אֲלֵיכֶם כִּי הָיִיתִי אֲלֵיכֶם); see also Exod. II. 25; Ps. LXIX. 17. — With וְהָיִיתִי אֲלֵיכֶם and I will make you fruitful and multiply you, compare Gen. I. 28; IX. 2; XVII. 2, 6, 20; XLVII. 27; Exod. I. 7; Jer. III. 16; Ezek. XXXVI. 9, 10 (וְהָיִיתִי אֲלֵיכֶם וְהָיִיתִי אֲלֵיכֶם); see also Exod. XXIII. 26; Mic. V. 6, 7; Neh. IX. 23; etc. — With וְהָיִיתִי אֲלֵיכֶם and I will establish My covenant with you, and with the 11th and 12th verses in general, compare Ezek. XXXVII. 26—28, which include, almost in identical terms, nearly every idea expressed in our passage, “I will make a covenant of peace (בְּרִית שָׁלוֹם) with them . . . and I will multiply them, and will set My Sanctuary in the midst of them (יִהְיֶה אֶת מִקְדָּשִׁי בְרִיתָם) for evermore; and My dwelling shall be with them (יִהְיֶה מִשְׁכְּנִי עִמָּם), and I will be their God, and they shall be My people”. — The phrase בְּרִית, so frequent in Genesis (VI. 18; IX. 9, 11; XVII. 7, 19, 21), is likewise used by Ezekiel (XVI. 60, 62; see also Deut. VIII. 18, where it means to maintain or uphold a covenant, and so probably in our passage; 1 Sam. XXII. 8; Exod. XXXIV. 10, 27); and its opposite בָּרַח to break the covenant, in ver. 15, is met with before in Gen. XVII. 14; Isai. XXXIII. 8. — To ver. 11: With וְהָיִיתִי אֲלֵיכֶם and I will set up My dwelling among you, compare, besides, Exod. XXV. 8 (וְהָיִיתִי אֲלֵיכֶם); XXIX. 45; Joel IV. 21; Josh. XXII. 19; etc. —

With וְהָיִיתִי אֲלֵיכֶם and My soul shall not abhor you (also ver. 30), compare Jer. XIV. 19 (בְּצִיּוֹן נִלְחָזְנָה); Ezek. XVI. 5 (בְּגִלְגָּל נִלְחָזְנָה); Isai. XLII. 9; Deut. XXXII. 19; Lev. XX. 23; *infra* vers. 15, 43; Ps. LXXXVIII. 59. — To ver. 12: וְהָיִיתִי אֲלֵיכֶם and I will walk among you, compare especially the concluding words of the Book of Ezekiel, “The name of the city from that day shall be, The Lord is there” (יְהוָה שָׁמָּה); see also Jer. III. 17; Zech. II. 9; Zeph. III. 15, 17; Hagg. II. 5 (יְהוָה עִמָּם בְּרִיתָם). — The construction of וְהָיִיתִי אֲלֵיכֶם with בְּרִית is found only in our passage and in Ezek. XIX. 6; XXVIII. 14. — With וְהָיִיתִי אֲלֵיכֶם and I will be your God etc., compare, besides, Ezek. XI. 20 and XXXVI. 28 (where the words occur almost literally), etc. — To ver. 13: With וְהָיִיתִי אֲלֵיכֶם and I broke the bands of your yoke, compare Ezek. XXXIV. 27 (וְהָיִיתִי אֲלֵיכֶם), where alone, in addition to our passage, the combination לִבְרִית is found; see also Isai. IX. 3; X. 27; XIV. 25; Deut. XXVIII. 48; Jer. II. 20; XXVII. 2; Ezek. XXX. 18. — With וְהָיִיתִי אֲלֵיכֶם so that you should not be their bondmen, literally, “away from being their bondmen”, which is no unusual meaning of the preposition מִן; see Gramm. § 105. 4. — The “bands of the yoke” לִבְרִית (ver. 13) are the rods which are inserted in the yoke, and which, by being kept tight on the neck of the beast, make the yoke serviceable; and these bands are used to denote the yoke itself. —

I will walk among you and will be your God, and you shall be My people. 13. I *am* the Lord your God who brought you out of the land of Egypt, that you should not be their bondmen; and I broke the bands of your yoke, and made you go upright.

14. But if you will not hearken to Me, and will

There remain, then, as peculiar expressions in these verses, *תִּשְׁבֹּר* threshing (ver. 5), *קִדְמָה* old store that has become old (ver. 10), and *תִּשְׁבֹּר* upright (ver. 13, properly a noun "uprightness", here used adverbially, comp. Gramm. § 70. 3, 4): the first and the third of these terms call for no comment, for their derivation is clear, and they are in their appropriate place; but the second occurs in a verse which interrupts the continuity of an address in every other respect so remarkably consistent, and the suggestion offers itself that the verse, which should logically follow after the fifth, may be a later addition, framed perhaps on a corresponding passage which occurs in the law of the Jubilee (XXV. 22, *אֲמַלְכֶם* and *אֲמַלְכֶם*): for the connection which some have pointed out — "however numerous the Hebrews may become, they will have abundant food" — is hardly satisfactory. The tenth verse being removed, the tenor of our passage would exactly coincide with that of Ezek. XXXVII. 26, 27, "I will multiply them, and will set My Sanctuary in the midst of them" etc. — The Niphal *קִדְמָה* means elsewhere *to be of old standing, or to be long established in some place* (Deut. IV. 25), and the participle is used of an old and *inveterate* disease (Lev. XIII. 11).

14—17. In promising the rewards and blessings of piety, the author almost describes the golden and the Messianic age — almost, for wars, though successful, are yet

deemed probable (vers. 7, 8); but in announcing the many punishments and curses of disobedience, he descends into the sad realities of actual events, and faithfully portrays what he has witnessed himself or what he has read in the trustworthy annals of his nation. To illustrate his words, let us compare them with a few similar speeches, which appear as the landmarks of Hebrew history, and well reflect its successive stages.

We have first that speech at the end of "the Book of the Covenant", to which we have already referred (Exod. XXIII. 20—33, p. 581). Writing in the time of the monarchy, when the nation was still hopefully carrying on its struggles, and was enjoying a large share of prosperity, the author threatened no misfortunes, but confined himself to admonitions and promises: the Lord would send His messenger before the Hebrews, and help them to conquer not only the land of the Canaanites, but all the territories from the Red Sea to the Mediterranean, and from the Arabian desert to the Euphrates. He would grant them plenty and shield them from disease and every other trial. He would terrify their enemies, and even cause the noxious animals to come to their aid. The only conditions He imposed upon them were that they should serve Him alone and obey His messenger without murmuring; that they should exterminate the heathen from their country, and break down all

not do all these commandments; 15. And if you will despise My statutes, and if your soul abhors My judg-

idols. The writer had in his mind the glorious time at the end of David's and the beginning of Solomon's reign, when the Hebrew dominions extended almost to the boundaries described (comp. 1 Ki. V. 1, 4; see Comm. on Exod. p. 468). The covenant between God and the Israelites had been concluded with the free assent of both: the One had said, "If you will obey My voice indeed, and keep My covenant, then you shall be a peculiar treasure to Me above all nations, for all the earth is Mine"; and the others had answered, "All that the Lord has spoken we will do" (Exod. XIX. 5, 8); there was, therefore, as yet no occasion for threatening chastisements: this was evidently the writer's view, and looking at the condition of his country in his own age, he was well justified in entertaining it.

Very different was the aspect of affairs at the period when the Book of Judges was compiled; then the Assyrians had already repeatedly invaded and ravaged the country, and the northern tribes had been led away into captivity (comp. Judg. XVIII. 30); the nation had commenced to taste the bitterness of foreign servitude; yet there were sufficient resources left to warrant the hope of ultimate recovery. Therefore, the author of that Book, in entering upon his task, and surveying in his mind the chequered fortunes of his people from the time of Joshua to his own, mingled complaint and exhortation, rebuke and encouragement; he strangely wavered between the dark and the brighter sides of the picture, and his words breathed sorrow, rather than

despondency. "The children of Israel", he said, "did evil in the sight of the Lord, and served the gods of the people that were round them, and provoked the Lord to anger, . . . and He delivered them into the hands of spoilers that spoiled them, and He sold them into the hands of their enemies round about, . . . and they were greatly distressed: nevertheless the Lord raised up Judges who delivered them out of the hand of those that spoiled them; and yet they would not hearken to their Judges, but went astray after other gods; . . . and the anger of the Lord was hot against Israel, and He said, Because this people has transgressed My covenant, . . . I also will not henceforth drive out any of the nations which Joshua left when he died, that through them I may prove Israel, whether they will keep the way of the Lord to walk therein as their fathers did keep it, or not" (Judg. II. 11—22). In some earlier time, then, so the author believed, the Hebrews had been pious and righteous, and he did not despair that his own generation might yet be induced to follow their example; he saw indeed present trials and dangers, but might they not be the means of recalling his contemporaries to duty and allegiance?

And then came the first great blow which struck down the kingdom of Ephraim; the Assyrian occupied the fairest portions of the Holy Land, and ten of the tribes of Israel wandered into exile; illusions were no longer possible; and yet not even then were the Hebrew patriots deserted by their innate buoyancy; they almost hoped against hope; they had learnt

ments, so that you will not do all My commandments, *but* that you break My covenant: 16. I also will do

to trace misfortune to iniquity, and they had been taught, that God is merciful; therefore they pointed to the dark idolatries of Ephraim as the source of their ruin; but might not the people of Judah be spared a similar fate, if they walked in uprightness and truth, and might not God in His mercy even bring back the scattered tribes of Israel? In this light the Deuteronomist, living about a century after Ephraim's fall, read the past and the future history of his nation. For this reason he so frequently impressed upon his countrymen, that through piety "their days would be prolonged in the land which God had given them" — a pledge which before his time once only had been given in the Decalogue (comp. IV. 23, 40; V. 30; VI. 2, 3; XXV. 15). He urged upon them again and again, that "on account of the wickedness of the heathen nations God had driven them out of Canaan"; and on the other hand, that "if they forgot the Lord, and walked after other gods, they would surely perish; as the nations which the Lord had destroyed before them, so would they perish" (comp. Deut. VIII. 19, 20; IX. 5; XXX. 17, 18). And what was his estimate of the people? Did their conduct inspire him with hope? His eloquence, so simple and yet so grand, never rose to greater fervour than when he denounced their stubborn perversity. "Thou art a stiff-necked people", he exclaimed; "remember and forget not how thou didst provoke the Lord to wrath in the wilderness; from the day that thou didst depart out of the land of Egypt until you came to this place, you have been rebellious against the Lord,

from the day that I knew you" (comp. Deut. IX. 6, 7, 24; XXXI. 27; etc.). Considering all this, and well knowing the impetuosity and the insatiable ambition of the Babylonians, who had not long before emerged from their obscurity to terrify all Asia, "a non-people" (עַם-אֲשֶׁר) whom he saw in his mind press forward "as the eagle darts", he felt that the doom of Judah also was approaching, and that their only refuge was in repentance and in the clemency of God. He himself condensed his whole experience, his fears, and anticipations in a few words: "When you shall have remained long in the land, and be corrupt . . . to provoke the Lord to anger, I call heaven and earth to witness against you this day, you shall soon utterly perish from off your land . . . And the Lord shall scatter you among the nations, . . . and there you shall serve gods, the work of men's hands . . . But if from thence thou shalt seek the Lord thy God, thou shalt find him if thou seek him with all thy heart and with all thy soul . . . For the Lord thy God is a merciful God; He will not forsake thee nor destroy thee, nor forget the covenant of thy fathers which He swore to them" (Deut. IV. 23—31).

At last the Babylonians did come, and the kingdom of Judah was also destroyed. The author of our chapter of Leviticus, who probably resided among the captives near the Euphrates, could not materially differ from the view taken by the Deuteronomist of the condition and prospects of his people; for the Deuteronomist had clearly marked out the only course which the events

this to you; and I will appoint over you terror, con-

could possibly be expected to take in accordance with the Hebrew doctrine of retribution. The difference, that our author had witnessed the dispersion not of ten, but of all the twelve tribes, is not essential; yet he might point out, with greater emphasis than had ever been done before, that the Hebrews had disgracefully broken their part of the covenant which they had once concluded with God; for they had rejected all warnings, and had fallen into a deeper and more fearful abyss of idolatry and wickedness; and he might, therefore, announce that God, released from His promises of protection, would send dire calamities horrible beyond all precedent. In this one respect he went beyond his predecessor; having lived to see the crowning catastrophe of his people, he described the awful degradation of sin and misery, and showed how God long-sufferingly tried to rouse the erring nation by lesser trials, how by their obduracy the disasters were multiplied, till they culminated in the annihilation of the commonwealth. This was the plan on which the author constructed his composition: menace follows menace in fatal succession, till they reach the terrible climax. But then, because he is a Hebrew prophet, with all the fine enthusiasm of his order, he yet believes in the people's repentance and in the forgiveness of God; he sees in the far distance the dawn of a new morning that forbids him to despair; and in the name of his God he proclaims, "Even while they are in the land of their enemies, I do not cast them away, . . . but I will remember the covenant of their ancestors whom I brought forth out of the land of Egypt". As they had

been redeemed from Egypt before, so they would be redeemed from Babylon ere long.

Who does not see that this entire survey almost coincides with the pragmatic sketch which in the Books of Kings concludes the sad history of Israel, and of which these are the leading sentences: "So it was that the children of Israel had sinned against the Lord their God . . . and served idols. And the Lord testified against Israel and against Judah by all the prophets, saying, Turn from your evil ways, and keep My commandments . . . Yet they would not hear, but hardened their necks . . . And they rejected His statutes and His covenant. Therefore the Lord was very angry with Israel, and removed them out of His sight; there was none left but the tribe of Judah only. And Judah also kept not the commandments of the Lord their God, . . . and the Lord rejected all the seed of Israel, and afflicted them, and delivered them into the hand of spoilers, until He had cast them out of His sight" (2 Ki. XVII. 7—23; comp. also 1 Ki. IX. 2—9).

The words with which each new series begins, "If you will not hearken to Me", are almost like a refrain, and remind us of a similar burden in one of the addresses of Amos, which indeed, as a composition, greatly resembles our section: it begins, "I have given you cleanness of teeth in all your cities, and want of bread in all your places; yet have you not returned to Me, says the Lord"; then follow new punishments and the same refrain, "Yet have you not returned to Me"; and so again and again (Am. IV. 10—13).

The first scourges by which God will try to wean the Hebrews from

sumption and fever that shall consume the eyes and wear

their iniquity, are diseases so fearful as to become a "terror" (פֶּחַח־לַיָּדָם) to them, such as consumption (פֶּחַח־לֵב) and the burning ague (פֶּחַח־לֵב), wearing out their strength and their lives in agony; whereas the Book of the Covenant, written in happier times, promises on the contrary, "I will take away sickness from the midst of thee" (Exod. XXIII. 25). The ancient Hebrews were indeed a remarkably healthy race (comp. *Tacit. Hist. V. 6, corpora hominum salubria et ferentia laborum*), yet consumption (phthisis pulmonum) is not unusual in Palestine, especially in more elevated regions, and consumptive persons (ἐνϕροί) were wont to seek relief in the pool of Bethesda (John V. 3). Fevers have at all times been one of the greatest plagues of the land, and have constantly claimed many victims; they are often so dangerous and obstinate, that in several instances the New Testament represents their cure as miraculous (Matth. VIII. 14, 15; Mark I. 30, 31; Luke IV. 38, 39; John IV. 52; *Joseph. Ant. XIII. xv. 5*). Intermittent, especially tertian fevers are frequent, particularly during March and October, in valleys and in marshy parts, as in the plains of Acca and Sharon, and in the almost tropical plain of the Jordan, on the borders of the hot and low-lying northern Lake of Merom, and round the Lake of Tiberias, which has in recent times also become notorious for its malignant fevers: the rubbish of the ruins of towns and villages, in many parts piled up for centuries, is in the winter season saturated with rain, which evaporates in the summer, and thus engenders malaria.

As the next calamity the author threatens, that the Hebrews will sow

their fields, whereas their enemies will enjoy the crops; they will "toil in vain", just as their forefathers had toiled, when, in the period of the Judges, the Midianites and the Amalekites ravaged their land "after the seeds had been sown, and destroyed the produce of the soil, and left no sustenance for Israel"; or when, in more recent times, the hosts of the Assyrians and the Babylonians devastated the blooming fields or spoiled the harvests (Judg. VI. 3, 4); whereas a contemporary of our author, in describing God's returning favour to Israel, declared, "The Lord has sworn by His right hand, and by His strong arm, Surely I will no more give thy corn to be food for thy enemies; and the sons of the stranger shall not drink thy wine, for which thou hast laboured" (Isai. LXII. 8; comp. LXVI. 21—23; Am. IX. 14).

And then will follow disastrous battles; the Hebrews, routed and pursued, will be compelled to submit to the imperious dictates of cruel invaders; harassed by a feeling of insecurity, they will flee though no one pursues them, and as another writer pithily expresses it, "The sword shall destroy without, and the terror in your houses" (Deut. XXXII. 25). How different is this from the happy times depicted before, when the Hebrews shall have no wars in their own land, and if they march out to meet a foreign foe, then "five of them shall chase a hundred, and a hundred of them shall chase ten thousand" (ver. 8; *supra* p. 587).

PHILOLOGICAL REMARKS. — We continue to give the parallels from previous writings, in order to show how constantly these were our author's guide in the second great section of this chapter also; any additional ex-

out *your* lives; and you shall sow your seed in vain, for your enemies shall eat it.

17. And I shall set My face against you, and you shall be slain before your enemies; and they that hate

planation that may be necessary will be inserted after the parallels of each verse. — To ver. 14: With *לֹא* 'not' but if you will not hearken to Me, compare Deut. XXVIII. 15; etc.; see also Malach. II. 2. — To ver. 15: With *בְּהִקְצֵי חֻמֹּתַי* and if you shall despise My statutes, compare 2 Ki. XVII. 15; Ezek. V. 6, and XX. 13, 16, 24 (*הִקְצִי בְּאֵמֹנֶיךָ*). — About *זָמַח* see *supra* on ver. 11, and about *הָרַר* on ver. 9. — The form *הִקְצִי*, the infim. Hiphil with suffix, is modified from *הִקְצִי*, see Gramm. § XVII. III. 3^a. — To ver. 16: With *אֶתְּחַבֵּד עָלֶיךָ* I will appoint over you consumption and fever, compare Deut. XXVIII. 22 (*אֶתְּחַבֵּד עָלֶיךָ*), 27, 59—61; Jer. XIV. 6. — With *וְנִשְׂחָקוּ עֵינֶיךָ* consuming the eyes, and wearing out your lives, compare 1 Sam. II. 33 (*נִשְׂחָקוּ עֵינֶיךָ*); Deut. XXVIII. 65 (*נִשְׂחָקוּ עֵינֶיךָ*); see also Job XI. 20; XXVII. 5; XXXI. 16. — With *וְנִשְׂחָקוּ עֵינֶיךָ* and you shall sow your seed in vain, for your enemies shall eat it, compare Mic. VI. 15; Deut. XXVIII. 30, 33, 51; Jer. V. 17; Job XXXI. 8, which passages express the exact sense of ours, though the words but partially coincide; see also Hagg. I. 6. — *רָחַק* (from *רָחַק* to be lean, like the Arab. *سُخْف*) is meagreness or emaciation, hence consumption (like the Arab. *سُخْف*, to which Jonah ben Gannach refers; Saad. *حمر التل* consumptive fever; Kimchi "a malady, which emaciates the body, whence perhaps the bird *רָחַק* XI. 16 has its name, as it often suffers from similar dis-

orders"; Parchon *אֶתְּחַבֵּד עָלֶיךָ*; etc.); comp. *רָחַק*, which is also leanness and pthisis (Mic. VI. 10; Isai. X. 16). The Sept. renders *ἀνομία* and the Vulg. *egestas*, poverty and leanness being considered as correlatives (in our passage the text of the Sept. seems corrupted, as the words *רָחַק* and *נִשְׂחָקוּ* are apparently rendered *τὴν τε ἀνομίαν τὴν τε ψόφραν*, the latter being a cutaneous disease, as scurvy or scab; but the text in Deuter. XXVIII. 22 is unequivocal). Other translations are less acceptable, as tumors (Luther *Schwulst*), dropsy, etc. — *נִשְׂחָקוּ* (from *נִשְׂחָק* to light a fire or to burn) is properly heat or flame; hence the *burning fever*; Vulg. *ardor*; Saad. cold fever; Sept. in Deut. *πυρετός*, but in our passage less aptly *ἰκτερός* jaundice, which has been taken to apply here to the "bilious typhoid fever" very frequent in Egypt and Syria (*Furrer* in Schenkel's *Bibel-Lexicon*, II. 588); Kimchi *אֶתְּחַבֵּד* (Isai. LIV. 12) a precious stone of a burning colour (*נִשְׂחָקוּ*); comp. Aram. *אֶתְּחַבֵּד*, Lat. *febris* from *fervere*, etc.: the Hebrew name of other diseases also is derived from the notion of heat or burning, as the general term *נִשְׂחָקוּ* (Deut. XXXII. 24; Hab. III. 5) the glow of fever, and then *נִשְׂחָקוּ* (from *נִשְׂחָק* to burn, Sept. *ἐπεσφύεσθαι*), and *נִשְׂחָקוּ* (from *נִשְׂחָק* to kindle a fire, Sept. *βίλος* the fever-frost; Deut. XXVIII. 22). On these diseases may be compared *Pruner, Krankheiten des Orients*, pp. 87, 283, 337, 356 sqq.; *Tobler, Nazareth in Palästina*, p. 267, and *Medicin. Topo-*

you shall rule over you; and you shall flee when none pursues you.

18. And if you will not yet hearken to Me after *all* this, then I will punish you seven times more for

graphie in Jerusalem, pp. 32, 42; *Hartmann*, Skizze der Nilländer, pp. 359 sqq. Michaelis (in his 68th Arabian question) suggests as the meaning of רִיקָה hollow teeth! — רִיקָה רִיקָה are diseases "which destroy the eyes", that is, make their light and brightness vanish (Onk. רִיקָה רִיקָה; Sept. σφαλιζόντες τοὺς ὀφθαλμοὺς ὑμῶν), and רִיקָה רִיקָה diseases "which cause the soul to pine away", that is, wear out life, and prove fatal (Sept. τὴν ψυχὴν ὑμῶν ἐκτρήσουσιν, Vulg. consumat animas vestras; the rendering "that cause sorrow of the heart" seems too weak); for רִיקָה (kindred with רָק, to melt away, to be destroyed (Ps. LXXXVIII. 10; Jer. XXXI. 25). — To ver. 17: With רִיקָה רִיקָה and I shall set My face against you, compare Ezek. XIV. 8 (רִיקָה רִיקָה בְּפָנַי נִשְׁתָּחֶה); XV. 7; Jer. XXI. 10; see also Levit. XVII. 10; XX. 3, 6. — With רִיקָה רִיקָה and you shall be slain before your enemies, compare Deut. XXVIII. 25 (רִיקָה רִיקָה לְפָנֶיךָ; see also Judg. II. 14; Jer. XIX. 7; Num. XIV. 42. — With רִיקָה רִיקָה and your enemies shall rule over you, compare Ps. CVI. 41 (רִיקָה רִיקָה בְּפָנֶיךָ). — With רִיקָה רִיקָה and you shall flee when none pursues you, Prov. XXVIII. 1 (רִיקָה רִיקָה לְפָנֶיךָ; see also Ps. LIII. 6 ("there were they in great fear, where no fear was").

19—20. If the Hebrews continue in their evil ways, God will chastise them "seven times" more; and to rouse them to reform, He will send afflictions infinitely more fearful. And what will these afflic-

tions be? Drought and dearth with their ghastly train of famine and starvation. To the ear of the Hebrews this announcement was appalling; for they knew the misery which dearth had so often brought upon the land; they remembered — for the tradition had been vivid and faithful — how in the time of Elijah the Tishbite neither rain nor dew fell for years, and the horses and mules died for want of grass, and nearly all the cattle perished (1 Ki. XVII. 1; XVIII. 5); how, about a century later, a most awful locust plague was aggravated by a protracted drought, of which they were constantly reminded by the wonderful description of Joel: "The seed is rotten under their clods and the corn is withered: why do the beasts groan, why are the herds of cattle perplexed? because they have no pasture; ... for fire devours the meadows of the plain, and a flame burns all the trees of the field, ... and the springs of water are dried up" (Joel I. 17—20); and they knew that, in more recent times, in the reign of king Jojakim, a similar calamity happened, which most painfully enhanced the alarming distress that was threatening from without: this dearth is dwelt upon by Jeremiah with a poetical force, which almost rivals that of Joel or Amos, and his description may possibly have been in our author's mind; for it is also interwoven with reproof and exhortation: "Judah mourns, and its gates languish, ... and the cry of Jerusalem rises up. Their nobles send their inferiors to the water; they

your sins. 19. And I will break the pride of your power, and I will make your heaven as iron, and your earth as brass; 20. So that your strength shall be spent in vain, and your land shall not yield its increase, nor shall the trees of the land yield their fruits.

come to the pits, and find no water, they return with their empty vessels; they are ashamed and confounded, and veil their heads . . . Yea, the hind in the field calves, and forsakes her young one, because there is no grass; and wild asses stand on the hills, they gasp for air like jackals, their eyes are dimmed; for there is no grass. O Lord, though our iniquities testify against us, do Thou it for Thy name's sake; for our backslidings are many, we have sinned against Thee" (Jerem. XIV. 1—7; comp. Am. IV. 7). Palestine is indeed a fertile land, but the people's pride and strength (רִצְּוֹן), arising from abundant crops, shall be humbled and broken, when the heavens, "a molten mirror", will be like iron, yielding neither rain nor dew, and the earth, hardened and parched up, will be like brass, unable to bring forth a green blade. Both metaphors — the iron sky and the brazen earth — could not have been more appropriately chosen to describe an Eastern drought.

Imprecations like those set forth in our section were not unusual among the ancients; one brief parallel may here be inserted. When the people of Cirrha and others had polluted the temple of Delphi and profaned its holy treasures, the Amphictyons, after having devastated their territories, and sold the inhabitants as slaves, protested and swore, that no one should ever cultivate the devoted land, and they publicly pronounced this curse: "If any persons transgress this edict, whether private

individuals, or a tribe, or a people, their land shall bear no fruit, and the women shall bring forth no children who resemble their fathers, but shall give birth to monsters; nor shall the beasts produce young of a normal shape; misfortune shall befall them in their wars, their tribunals, and their public assemblies; they themselves, with their houses and their whole race, shall be destroyed; and they shall never again present to the gods an acceptable offering" (*Aeschin.* Cont. Ctesiph. c. 34, §§ 110, 111 ed. Becker).

PHILOLOGICAL REMARKS. — "And if you will not hearken to Me" רִצְּוֹן-וְ, literally "to the end of these things", that is, if you will repent neither while the threatened plagues are happening, nor when they have been sent; so that רִצְּוֹן-וְ has the sense of "after all this" (Targ. Jon. רִצְּוֹן-וְ), for וְ often includes the *terminus ad quem* (comp. Exod. XV. 16; 1 Sam. I. 22; see Comm. on Gen. p. 749: in ver. 27 רִצְּוֹן occurs in the same connection, "if you will not hearken in spite of this", a not uncommon meaning of the preposition וְ, Isai. IX. 11; Job I. 22; etc.); but in ver. 23, רִצְּוֹן, construed with a passive verb (רִצְּוֹן), is simply "by or through all this". Other translations of רִצְּוֹן-וְ are "during this" (Knob. a.o.), or "up to this" (Sept. ἕως τούτου, De Wette), or "for this" (Engl. Vers., Luth. über das); etc. — "I will punish you for your sins זָרַעַת seven times more", that is, many times or infinitely more; in which sense the number seven is frequently used

21. And if you walk contrary to Me, and will not hearken to Me, I will bring seven times more plagues upon you according to your sins. 22. And I will send among you the beasts of the field, which shall bereave

(comp. Gen. IV. 15, 24; Deut. XXVIII. 25; Isai. IV. 1; Prov. XXIV. 16; Ps. LXXIX. 12; CXIX. 164; Job V. 19, "He shall deliver thee in six troubles, and in seven there shall no evil touch thee"; 1 Sam. II. 5, where *סֵבֵבָה* is parallel with *יָרִיבָה*; Luke. XVII. 4), seven denoting a complete group or set, and therefore underlying the various Sabbath periods; yet other numbers also are similarly employed, as ten (ver. 26; Gen. XXXI. 7; Zech. VIII. 23; Job XIX. 3; etc.), three, and four (comp. Am. I. 3, 6, 9, 11, 13; etc.). It is, therefore, quite inappropriate to take in our passage "seven" literally, which necessarily leads to artificial devices (see, f. i. *Bertheau*, *Gruppen*, pp. 241, 242, who counts in vers. 14—17 just seven punishments, and believes, that the same number of menaces is meant in each of the four following divisions — viz. vers. 18—20, vers. 21 and 22, vers. 23—26, and vers. 27—33 — but that they are not specified, as it sufficed to mention in each case the number seven, viz. in vers. 18, 21, 24, and 28: and from these premises he deduces a curious, though ingenious result). — "I will break" *אֶפְרֹץ* (ver. 19), literally "the pride of your power", that is, your power which fills you with so much pride, and emboldens you to defy the Divine warnings; "the power" is chiefly the wealth derived from abundant harvests; though Jewish interpreters assert, that it means the Temple (*Siphra*, *Targ. Jeras.*; comp. Ezek. XXIV. 21, *אֶפְרֹץ אֶת־הַמִּקְדָּשׁ*), or the heroes and champions of Israel, like Joab (so Rabbi Akiva and

others), or the proud men, or the counsellors and nobles (comp. *Talm. Gitt. 37^a*): the same phrase occurs more than once in Ezekiel (besides XXIV. 21, in XXX. 6, 18; XXXIII. 28; see also VII. 24), and in no other part of the Old Testament. But the peculiar comparisons which follow, "and I will make your heaven as iron, and your earth as brass", are borrowed from Deuteronomy (XXVIII. 23, 24), where they are found modified and enlarged: "And thy heaven, that is over thy head, shall be brass, and the earth that is under thee shall be iron; the Lord shall make the rain of thy land sand and dust; from heaven shall it come down upon thee, until thou art destroyed"; compare also XI. 17, "He will shut up the heaven that there be no rain"; see Mal. I. 10. — *אֶפְרֹץ* heaven with personal suffixes (*אֶפְרֹץ־לְךָ* and *אֶפְרֹץ־לְךָ־וְלַחֲמֹתֶיךָ* thy and your heaven) is peculiar to Deuteronomy and to this passage. — The parallelism of *אֶפְרֹץ* with *אֶפְרֹץ* renders it probable, that that word is here not the feminine of the adjective *אֶפְרֹץ* brazen, but the noun brass, instead of *אֶפְרֹץ* (as in the corresponding passage of Deuteronomy), and it is so used in poetical works (Job XXVIII. 2; XL. 18; Isai. XLV. 2). — With *אֶפְרֹץ* *אֶפְרֹץ* and your strength shall be spent in vain (ver. 20), compare Isai. XLIX. 4 (*אֶפְרֹץ אֶפְרֹץ . . . אֶפְרֹץ*). — With the threat "your land shall not yield its increase", compare Deut. XI. 17; XXVIII. 18, 38—40, 42; see also Mal. I. 10, 11.

21, 22. Should the blind recklessness of the people proceed to open

you of your children, and destroy your cattle, and make you few in number, and your *high-ways* shall be desolate.

and defiant rebellion against God's decrees, He will, as a second gradation, let loose against them the wild beasts, which He will arm with unwonted ferociousness for their appointed work of destruction; by these means He will cause frightful ravages among men and cattle; and the population, previously lessened by war and fatal diseases, will become so few in number, and these few will be so much terrified by the sanguinary intruders, that the public roads will be empty and desolate, and all intercourse will cease. In holding out this threat, our author needed not apprehend lest it appear to his readers fanciful or exaggerated; for he had ample precedents, which he knew were treasured in the recollection of all: when little boys had mocked the prophet Elisha, "he turned round, and looked at them, and cursed them in the name of the Lord; and there came forth two she-bears out of the wood, and tore forty-two children of them to pieces" (2 Ki. II. 24.); and another tradition related, that when the Assyrians, who had settled in the northern provinces of Canaan, "did not fear the Lord, the Lord sent lions among them that killed many of them" (2 Ki. XVII. 25). The Hebrews, accustomed to draw the animals into the closest relations with men, and deeming them capable of sin and degeneracy, could not be surprised at the idea that God should make savage beasts the instruments of His vengeance, and "a rod of correction", like famine, foreign invasion, and subjection. Thus we find in the last Song of Moses, "They shall be consumed by hunger, and devoured with heat, and

poisonous pestilence, and I shall send upon them the teeth of wild beasts, with the venom of the serpents that creep in the dust" (Deut. XXXII. 24); and thus Ezekiel constantly menaces his fellow-citizens in the name of God, "I shall send upon you famine and evil beasts, and they shall bereave thee; and pestilence and blood shall pass through thy land, and I shall bring the sword upon thee" (Ezek. V. 17; see Phil. Rem.). There is, from the Biblical point of view, force and truth in the remark, "The enmity of animals towards man, their heaven-appointed lord, reveals the strife and discord which he has brought into creation by his sin" (*Baumgarten*, Lev. p. 239). Nor was the desertion of high-roads on account of the dangers of travelling a trait unfamiliar to later readers; they knew from the song of Deborah which lived on every tongue, that "in the days of Shamgar, the son of Anath, in the days of Jael, the high-ways were silent, and travellers walked through tortuous by-roads" (Judg. V. 6); they could not fail to recollect the words in the "Lamentations", which probably even then had been attributed to the prophet Jeremiah, "The ways of Zion mourn, because none come to the solemn feasts; all her gates are desolate" (Lam. I. 4); and Ezekiel plainly conveys the idea reproduced in our text: "I cause evil beasts to pass through the land, and they shall bereave it, so that it be desolate, that no man may pass through because of the beasts" (Ezek. XIV. 15; see also Isai. XXXIII. 8).

PHILOLOGICAL REMARKS. — "And if

23. And if you will not be reformed by Me by these *things*, but will walk contrary to Me; 24. Then will I also walk contrary to you, and I also will chas-

you walk with Me" $\text{וְאִם לֹא תִשְׁמָעוּ בְּקוֹלִי}$, literally "in an encounter", that is, in hostile meeting and revolt, or inimically; for וְאִם in $\text{וְאִם לֹא תִשְׁמָעוּ}$, which occurs only in this chapter, is the absolute accusative with adverbial force, as in the analogous phrase לֹא תִשְׁמָעוּ (XIX. 16; see p. 414); it alternates, therefore, with $\text{וְאִם לֹא תִשְׁמָעוּ}$ (in pausa $\text{וְאִם לֹא תִשְׁמָעוּ}$, vers. 24, 27, 40, 41). Kimchi explains: "If you say, that the inflictions which I bring upon you come by chance ($\text{וְאִם לֹא תִשְׁמָעוּ}$), and not as a retribution for your sins" — which sense cannot grammatically be derived from the words $\text{וְאִם לֹא תִשְׁמָעוּ}$. — $\text{וְאִם לֹא תִשְׁמָעוּ}$ is in apposition with or qualification of $\text{וְאִם לֹא תִשְׁמָעוּ}$, "I will bring plagues upon you, and that seven times more than before, in accordance with your sins". — With $\text{וְאִם לֹא תִשְׁמָעוּ}$ (ver. 22) "I will also send wild beasts among you" etc., compare Ezek. V. 17 ($\text{וְאִם לֹא תִשְׁמָעוּ}$); XIV. 20 ($\text{וְאִם לֹא תִשְׁמָעוּ}$); see also XXXIII. 27, and *supra* on ver. 6. — With $\text{וְאִם לֹא תִשְׁמָעוּ}$ and they shall destroy your cattle, compare Ezek. XIV. 13, 17, 20; XXV. 13; XXIX. 8. — With $\text{וְאִם לֹא תִשְׁמָעוּ}$ and your highways shall be desolate, compare Isai. XXXIII. 8 ($\text{וְאִם לֹא תִשְׁמָעוּ}$); see also Zeph. III. 6.

23 — 26. The third gradation does not consist of new calamities, but of former visitations fearfully intensified — of discomfiture so disastrous and so complete, that resistance is abandoned as hopeless; those who escape from the sword, seek the protection of the walled and fortified towns as their last refuge; but they are pursued and besieged by the relentless enemy; they begin to be pressed by want; still they hold out;

they anxiously husband their scanty provisions; they are content with meagre rations which, doled out by weight, do not satisfy their hunger, and barely ward off starvation; yet, faint as they are, they do not yield; but then large numbers are struck down by pestilence, and the remnant fall into the hands of their foes. And why do these terrible trials befall them? Because by their unblushing breach of the Divine covenant, they have provoked not merely retribution but vengeance; they have to suffer because their iniquities overthrow the common ordinances binding upon all men, and because they violate pledges which they had specially and solemnly given to their Divine Lawgiver and Ruler; the sword, therefore, which destroys them, is "an avenger of the covenant". Thus our author skilfully approaches closer to those more recent calamities which his own contemporaries were bemoaning in their exile. He may also have had in his mind the numerous antecedent wars of Judah and Israel, and the sieges of Samaria and Jerusalem during the attacks of the Syrians and Assyrians, when "an ass's head was sold for eighty shekels, and the fourth part of a cab of dove's dung for five shekels of silver" (2 Ki. VI. 25); but he seems more especially to allude to the horrors of the Babylonian invasions, and to the words with which the prophets Jeremiah and Ezekiel describe them, and of which his own appear like an epitome: "I will smite", wrote Jeremiah, "the inhabitants of this city, both man and beast; they shall die of a great pestilence; and afterwards, says the

tise you seven times for your sins. 25. And I will bring the sword upon you, that shall avenge My covenant; and when you are gathered together within your cities, I will send pestilence among you, and you shall be delivered into the hand of the enemy; 26. While I break the staff of your bread, so that ten women shall bake your bread in one oven, and they shall deliver *you* your bread again by weight, and you shall eat *it*, and not be satisfied.

Lord, I will deliver Zedekiah, king of Judah, and his servants, and the people, and such as are left in this city, from the pestilence, from the sword, and from the famine, into the hand of Nebuchadnezzar king of Babylon, . . . and he shall smite them with the edge of the sword" (Jer. XXI. 5, 6). More graphically Ezekiel announces, "The sword is without, and the pestilence and famine within; he that is in the field shall die with the sword, and he that is in the city, famine and pestilence shall devour him" (Ezek. VII. 15; comp. V. 12); and he also notices the famine in terms with which those of our author are almost identical, "Son of man, behold, I will break the staff of bread in Jerusalem, and they shall eat bread by weight, and in sorrow; and they shall drink water by measure, and in distress" (Ezek. IV. 16; comp. V. 16, 17; Jer. IV. 5—10; XIV. 18; XXI. 3—10; XXIV. 8—10; LII. 6; Lam. I. 20; IV. 9; Isai. XXII. 2; 2 Ki. VI. 25 *sqq.*; VII. 4; XVIII. 9, 10, 13 *sqq.*).

PHILOLOGICAL REMARKS. — With *וְאִם לֹא יִשְׁמְעוּ* (ver. 23) and if you will not be reformed, compare Ps. II. 10 (*וְאִם לֹא יִשְׁמְעוּ*); Jer. VI. 8; see also Prov. XXIX. 18. — *בְּ* "by Me" (see Gramm. § 86.9.1.). — To ver. 25: With *וְהָיָה חֶרֶב וְאֶבְרָתִי* and I will bring the sword upon you, compare Ezek. V. 17 (*וְהָיָה חֶרֶב וְאֶבְרָתִי*); VI. 3; XIV. 17; XXIX. 8;

XXXIII. 2; see also V. 1, 2, 12. — With *וְכִשְׁבַּתְכֶּם אֶל-עִירְכֶּם* and when you are gathered together within your cities, compare Jer. IV. 5 (*וְכִשְׁבַּתְכֶּם אֶל-עִירְכֶּם*); XXI. 4 (*וְכִשְׁבַּתְכֶּם אֶל-עִירְכֶּם*); see also XXXV. 11. — With *וְשִׁלַּחְתִּי דָבָר בְּרִיכָתְכֶם* I will send pestilence among you, compare Am. IV. 10 (*וְשִׁלַּחְתִּי דָבָר בְּרִיכָתְכֶם*); Jer. XXIV. 10 (*וְשִׁלַּחְתִּי דָבָר בְּרִיכָתְכֶם*); XXIX. 17; see also Deut. XXVIII. 21; Jer. XIV. 12. — *וְנָקַם נִקְמָתִי* is simply "avenging the covenant", or the breach of the covenant; for *נָקַם* is to avenge (Gram. § 102. 7). — To ver. 26: With *וְהָיָה כִּשְׁבַּתְכֶּם לֶחֶם בְּמִשְׁכָּל* while I break the staff of your bread, compare Ezek. IV. 16 (*וְהָיָה כִּשְׁבַּתְכֶּם לֶחֶם בְּמִשְׁכָּל*); V. 16 (*וְהָיָה כִּשְׁבַּתְכֶּם לֶחֶם בְּמִשְׁכָּל*); XIV. 13. The phrase *וְהָיָה כִּשְׁבַּתְכֶּם לֶחֶם בְּמִשְׁכָּל* meaning to inflict a famine, occurs only in Ezekiel and in our passage, and besides in Ps. CV. 16; comp. *וְהָיָה כִּשְׁבַּתְכֶּם לֶחֶם בְּמִשְׁכָּל* and *וְהָיָה כִּשְׁבַּתְכֶּם לֶחֶם בְּמִשְׁכָּל* (Isai. III. 1) the support of bread and the support of water. The notion that bread, or food in general, is a "support" or a source of "strength" to the body, is natural; see also Gen. XVIII. 5; Judg. XIX. 5, 8; Ps. CIV. 15; comp. besides *וְהָיָה כִּשְׁבַתְכֶּם לֶחֶם בְּמִשְׁכָּל* in Ezek. XIX. 11—14; Ps. CX. 2; in later Hebrew, *וְהָיָה כִּשְׁבַתְכֶּם לֶחֶם בְּמִשְׁכָּל* "support" is the ordinary word for meal or repast; and the younger Pliny calls food "the props" of the body (*corpori vaco cujus fulturis animus sustinetur*, *Plin. Ep. I. 9*): the Syriac version renders in Ps. CV.

27. And if you will not for *all* this hearken to Me, but walk contrary to Me; 28. Then I will walk contrary to you also in fury; and I will also chastise you seven times for your sins. 29. And you shall eat the flesh of your sons, and the flesh of your daughters shall you eat. 30. And I will

16 "the stalks of the corn". — With the phrase, "ten women shall bake your bread in one oven", compare Isai. IV. 1 ("seven women shall take hold of one man"); Zech. VIII. 23; etc. — Ordinarily each family has its own oven (אֶפְסָה), or whatever the contrivance may be for baking bread, leavened or unleavened (see Comm. on Lev. I. p. 482); in the unhappy times foreshadowed, one oven will suffice for ten families; so limited will be their stores of flour. There were, however, also public baking houses, and Jeremiah (XXXVII. 21) mentions a "bakers' street" (רֹבֵץ הַאֲפִסָּה); comp. Hos. VII. 4). — With אֶפְסָה בְּכֶסֶף and they shall deliver you your bread again by weight, comp. Ezek. IV. 16 (אֶפְסָה לֶחֶם בְּכֶסֶף). — With אֶפְסָה לֶחֶם אֶפְסָה and you shall eat and not be satisfied, comp. Hos. IV. 10 (אֶפְסָה לֶחֶם אֶפְסָה); Mic. VI. 14 (אֶפְסָה לֶחֶם אֶפְסָה); see also Isai. IX. 19; Hagg. I. 6.

27—33. Are all these scourges insufficient to make the Hebrews pause and repent? The infatuated people continue their works of impiety, and they still "walk contrary" to God. But now even His long-suffering is exhausted. He no longer deals out simply "measure for measure", but He "walks contrary" to the people "in fury"; He goads them to deeds of frenzy and appalling horror; He declares to the desperate crowd maddened by hunger, "You shall eat the flesh of your sons, and the flesh of your daughters shall you eat". Can any other calamities follow after this most heart-sickening

trial? Yet they come, and they portend the bitter end. The idolatrous heights and altars and statues, with which the land is filled, are cut down, and the corpses of the Hebrews mingle with the fragments of those misshapen images in one ghastly heap. What is there that now prevents the heathen invaders from laying the towns in ashes, from overthrowing the Sanctuary, and converting the whole land into a waste and a wilderness, which they themselves, the new masters, shall behold with amazement? It may be that the people, in their consternation and agony, offer up sacrifices and burn incense; but their hearts are as stubborn as before; how should their offerings be accepted? God "abhors them"; He has "no delight in their sweet odours". So they flee from the soil of their ancestors, or they are carried away wretched captives; they may long to return, and to cultivate their fields as of old; but God frustrates their efforts; He sends the sword against them, and they are driven back; and so "their land remains desolate, and their cities remain waste."

Is this a picture drawn from imagination? It is not prophecy but history; every one of its awful details may be traced in the annals of the Hebrews, which our author so skilfully uses for his great and noble purpose. He alludes to the harrowing scenes that disgraced the siege of Samaria by the Syrians, when a Hebrew mother complained to Joram, the king of Israel, "This woman said to me, Give thy son, that we may eat

destroy your high places, and cut down your sun-images, and cast your carcases upon the carcases of your idols, and My soul shall abhor you. 31. And I will make your cities waste, and bring your Sanctuaries to desolation, and I will not smell your sweet odours. 32. And I will bring the land into desolation, and your ene-

him to day, and we will eat my son to-morrow; so we boiled my son, and did eat him; and I said to her on the next day, Give thy son that we may eat him; and she has hidden her son" (2 Ki. VII. 28, 29). He remembers the distress that prevailed during the siege of Jerusalem by the Chaldean hosts, when "the hands of merciful women boiled their own children, who were their food" (Lam. IV. 10; comp. II. 20), and when the people "ate the flesh of their sons and the flesh of their daughters, and ate every one the flesh of his friend in the siege and in their straitness" (Jer. XIX. 9). He suppresses indeed the cruel and loathsome details with which the misery and the atrocity of those times are depicted in Deuteronomy (XXVIII. 53—57); yet what can exceed the emphasis of his simple menace, "And you shall eat the flesh of your sons, and the flesh of your daughters shall you eat"! He followed here also his great model Ezekiel, who likewise coupled the siege of the capital with the dispersion of the people: "The fathers shall eat the sons in the midst of thee, and the sons shall eat their fathers; and I will execute judgment in thee, and the whole remnant of thee will I scatter into all the winds" (Ezek. V. 10; comp. also Isai. IX. 19; Zech. XI. 9; see Comm. on Lev. I. p. 324 note 5). But he reproduced the words of Ezekiel still more closely in menacing the annihilation of idols in Judea; for the prophet had written: "I will destroy your high places utterly

(מזבחותי), and your altars shall be desolate, and your sun-images (מזבחותי) shall be broken, and I will cast down your slain men before your idols (מזבחותי), and will lay the dead carcases (גופות) of the children of Israel before their idols, and I will scatter your bones round about your altars" (Ezek. VI. 3—7). Of these and of the following sentences our passage is a pithy abridgement. — We need not repeat, how common were in the Holy Land "the heights", and how numerous the statues of Baal and Ashtarte — the images of the sun and the moon — which the Hebrews worshipped on those heights and in sacred groves down to the latest times of the monarchy, and how difficult it was to wean them from these abuses even after their return from the captivity: it is certainly not surprising that, after their contact with the Persians, they should have clung with increased obstinacy to the worship of the Sun (see Comm. on Lev. I. 357—362, 372, 373). — It is recorded, that Josiah, in his reforming zeal, "broke in pieces the statues, and destroyed the images of Ashtarte (אשתרת), and filled their places with the bones of men"; and that in Samaria "he sacrificed (זבח) all the priests of the high places that were there upon the altars, and burnt men's bones upon them" (2 Ki. XXIII. 14, 20; 2 Chr. XXXIV. 5): similar facts and traditions may have been in our author's thoughts when he announced the piling up of the dead bodies of ido-

mies who dwell therein shall be amazed at it. 33. And I will scatter you among the nations, and will draw out the sword after you, and your land shall be desolate, and your cities shall be waste. — 34. Then shall the land pay off its Sabbaths as long as it lies desolate, and you *are* in your enemies' land; then shall the land

laters together with the shivered limbs of their idols; but the vengeance which he describes is not the vengeance of a pious Hebrew king, but of a heathen conqueror.

No one who reads these verses without preconceptions, can deny that, in the writer's time, the "high places" had long been used by the Hebrews, and the idols so distinctly specified had actually been worshipped by them in Canaan; and that, therefore, these statements refer to a post-Mosaic age (see *supra* p. 583). Let the tenor of our section, as the author wished it to be understood, for a moment be considered. The Hebrews had just been released from the oppressive bondage of Egypt; they were still far distant from the land of promise, which they reached only forty years later, and which they had to conquer from warlike tribes in protracted wars: yet then already, in the desert of Sinai, they were told, that their future home would be devastated, and that they themselves would be expelled from it, on account of their inveterate wickedness. The conception is indeed grand, and bespeaks a genius capable of surveying and linking together the history of millenniums; yet he is unable to conceal, that the annals of that history lie complete before him, and that they have furnished him the materials for his far-reaching combinations (comp. also 1 Ki. IX. 2—9). He writes as his predecessor wrote: "A third part of thee shall die with the pestilence, and with famine shall they be con-

sumed in the midst of thee; and a third part shall fall by the sword round about thee; and I will scatter a third part into all the winds, and I will draw out a sword after them" (Ezek. V. 12; comp. XII. 14, 15).

PHILOLOGICAL REMARKS. — The *וַיִּפְגַּע* "encounter" of the Hebrews will be met by the *וַיִּפְגַּע* of God (ver. 28), which is, literally, "the wrath of encounter", that is, by a wrathful hostility on the part of God, inflicting frightful calamities; compare Jer. XXI. 5 *וַיִּפְגַּע יְהוָה בְּקִצָּת נִיזָל*, and the whole passage vers. 4—10, which is closely parallel to ours; see also Ezek. V. 13, 15 (*וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק*); VI. 12; Lam. II. 11; Isai. LXIII. 3; LXVI. 15; etc. — We have shown before how utterly groundless is the view brought forward by some (as *Ghillany*, *Menschenopfer*, pp. 643—647), that the eating of human flesh in exceptional cases of agonising want proves, that "cannibalism" was a common and prevailing habit among the Hebrews, especially in connection with sacrifices (comp. *Comm. on Lev. I.* pp. 410, 411). — The parallels to the words *וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק* have been given above in the general notes. — To ver. 30: With *וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק* and I will destroy your high places, and will cut down your sun-images, compare Ezek. VI. 3, 4, 6 (*וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק*). — With *וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק* and I will cast your carcasses upon the carcasses of your idols, compare Ezek. VI. 4, 5, 13 (*וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק וַיִּפְגַּע יְהוָה בְּחִמְיָם חָזָק*). — On "heights"

rest, and pay off its Sabbaths; 35. As long as it lies desolate, it shall rest *the years* which it did not rest in your Sabbaths, when you dwelt upon it. 36. And *as to* those that are left *alive* of you, I will send a faintness into their hearts in the lands of their enemies; and the sound of a shaken leaf shall chase them, and they shall flee *as if* fleeing from a

(שֶׁמֶשׁ), see Comm. on Lev. I. 372, 373; comp. also *Graf* in *Merx' Archiv*, 1867, pp. 95, 108. — שֶׁמֶשׁ from שֶׁמֶשׁ sun, properly an adjective "appertaining to the sun" or "solar", whence שֶׁמֶשׁ הַיָּם, which has repeatedly been found on Phœnician and Palmyrene inscriptions, the Sun-Baal, and שֶׁמֶשׁ statues or memorial stones of this deity (analogous to שֶׁמֶשׁ and שֶׁמֶשׁ statues of Baal and Ashera), which were placed on the altars of the god (comp. 2 Chr. XXXIV. 4). The ancient translations are vague or inexact, rendering simply either images or shrines (Sept. ξόλινα χειροποιήτα, or in other passages εἰδωλα, βδελύγματα, τειμένε, or ὑψηλά, Vulg. simulacra, delubra, Syr. כְּלִי, etc.), and so many later interpreters; but the Arabic version (Erpen.) renders correctly شمسات suns, which Kimchi explains to mean "images made for idolatrous worship of the sun"; while Rashi, Ebn Ezra, and Abarbanel, though justly referring the word to שֶׁמֶשׁ sun, questionably modify the sense (Rashi, "a kind of idol, which was placed on the roofs, and because the statues were exposed to the sun — שֶׁמֶשׁ — they were called שֶׁמֶשׁ"; Ebn Ezra and Abarbanel, "houses or temples, in which people worshipped the sun"). Onkelos renders שֶׁמֶשׁ by the unusual word שֶׁמֶשׁ, which has hardly yet found a satisfactory explanation (the conjecture proposed in *Fraukel's Monatschrift* 1859, p. 319, that it is identical with the Greek χώνευσις, χωνευτός or χώνευμα, an image formed of molten metal, seems

hazardous). See *supra* on vers. 1, 2, p. 580; Comm. on Lev. I. pag. 361 notes 14 and 15; *Spencer*, *Legg. Ritt. Lib. II. c. 25*, pp. 469—482; *Jablonski*, *Panth. Aeg. III. Proleg. § 34*, pp. 80—83; *Michael. Supplem.* pp. 817—821; *Gesen. Thes.* pp. 489—491; *Movers*, *Phœniz. I.* 188, 294, 345, etc.; *Frankl*, On recent excavations and discoveries on the site of ancient Carthage, 1860, pp. 18 sqq. — שֶׁמֶשׁ corpse is only in this passage applied to shattered idols; but the term is intelligible, since idols were supposed to have consciousness and sensation (Vulg. cadetis inter ruinas idolorum vestrorum; comp. Comm. I. c. p. 371): it is unnecessary to assume, that animals are meant worshipped by the Hebrews in imitation of the Egyptians. — To ver. 31: שֶׁמֶשׁ אֶרֶץ אֶרֶץ and I will make your cities waste, compare Ezek. VI. 6 (שֶׁמֶשׁ אֶרֶץ), 14; XII. 19, 20; XIV. 16; XXXVI. 4; Jer. IV. 7; IX. 10; XXV. 11, 18; see also Jer. IV. 7. — With שֶׁמֶשׁ אֶרֶץ אֶרֶץ and I will bring your Sanctuaries into desolation, compare Ezek. IX. 6; Ps. LXXIV. 7. — The plural שֶׁמֶשׁ your Sanctuaries may be explained by the two altars, in the Court and the Holy; but Siphra, applying the notions and institutions of a later time, supposes that the שֶׁמֶשׁ include the Synagogues and colleges (שֶׁמֶשׁ שֶׁמֶשׁ שֶׁמֶשׁ); others believe, that idolatrous temples are meant, though the phrase שֶׁמֶשׁ אֶרֶץ seems to refer to the offerings on the legitimate altar; while Rashi explains curiously, that the word denotes the

sword, and they shall fall when none pursues. 37. And they shall fall one upon another, as *it were* before a sword, when none pursues; and you shall have no power to stand before your enemies. 38. And you shall perish among the nations, and the land of your enemies shall eat you up. 39. And those that are left of you, shall

pilgrims, and he paraphrases וְהָיָה כְּעַמֵּי אֲרָם thus: "I will make the Temple empty, for no more shall multitudes of Israelites, as before, sanctify themselves (וְהָיָה כְּעַמֵּי אֲרָם) and prepare to journey thither" (comp. Ezek. VII. 24, וְהָיָה כְּעַמֵּי אֲרָם for וְהָיָה כְּעַמֵּי אֲרָם; see *Geiger*, *Jüd. Zeitschr.* III. 234; IV. 170, 171). The Samaritan codex has וְהָיָה כְּעַמֵּי אֲרָם without וְהָיָה כְּעַמֵּי אֲרָם; but the plural occurs in several other passages also (Lev. XXI. 23; Ps. LXVIII. 36; LXXIII. 17; Ezek. XXI. 7; XXVIII. 18). — On the phrase וְהָיָה כְּעַמֵּי אֲרָם see Comm. on Lev. I. pp. 7, 8; comp. Ezek. XX. 41; it is here completed by the verb וְהָיָה כְּעַמֵּי אֲרָם, which means to delight in something (comp. Am. V. 21; Isai. XI. 3). — To ver. 32: With וְהָיָה כְּעַמֵּי אֲרָם and they shall be amazed at it, compare Jer. XVIII. 16; XIX. 8 (וְהָיָה כְּעַמֵּי אֲרָם); 1 Ki. IX. 8. — "Your enemies that dwell therein" — these words imply, that the foreign conquerors will take possession of the land of the Hebrews and settle there (comp. Ezek. XXXVI. 5; Joel IV. 2). — To ver. 33: With וְהָיָה כְּעַמֵּי אֲרָם and I will scatter you among the nations, compare Ezek. V. 2, 10, 12; VI. 8; XII. 14, 15; XX. 23; XXII. 15; all which passages resemble ours in sense and language; see also Jer. IX. 15; Ps. XLIV. 12; Zech. II. 4; VII. 14. — With וְהָיָה כְּעַמֵּי אֲרָם and I will draw out the sword after you, compare Ezek. V. 2, 12; XII. 14 (וְהָיָה כְּעַמֵּי אֲרָם); see also XXI. 8—10.

34—39. Now the author no longer delineates the past but the woful present, not the wind that had

been sown, but the whirlwind that his generation were reaping; and his description has all the power and truth of the eye-witness. Yet it is not a piercing cry of agony and despair; he contemplates indeed with a heavy heart the terrible disasters under which his countrymen are writhing, but to his clear mind those disasters convey great lessons; they are the finger of God, and disclose to him the laws of Divine government. Rising above the troubled reality, he penetrates into the "seeds of time" and into the secrets of the moral world. What, he asks himself, is the condition of this unhappy people in their dispersion? Their thoughts wander to their own loved land; they know it is lying in desolation; and with bitter self-reproaches they confess, that it suffers that dire fate because they had not allowed it to rest during the Divinely appointed Sabbatical years—no, not all the time they had held it in possession: having eaten the fruits that belonged to God and His poor, they have now to repay them in grief and distress. Thus weighed down by sorrow and remorse, they lose all courage and confidence; they are terrified by imaginary dangers; surrounded by enemies who do not speak their own tongue, their anguish, their "faintness of heart" conjures up everywhere attack and fierce onslaught and pursuit; they are "chased by the sound of a shaken leaf"; they hear the foe following in their track, they flee, they fall — and no one is pursuing them; in their confusion they rush

pine away on account of their iniquity in the lands of your enemies, and also on account of the iniquities of

blindly upon each other and fight for their lives, still haunted by the phantoms of danger: how should they make a stand before the enemy? Thus driven onward without rest and peace, many fall victims to their fears and anxieties — the strange land “eats them up.” The survivors, tortured by remorse, languish away in wretchedness. And why do they suffer all these pangs and miseries? “They pine away on account of their iniquity, and also on account of the iniquities of their fathers with them do they pine away”. This is the pith and kernel of the author’s sketch: it is the sins of their fathers *together with their own*, which have brought down upon them such appalling distress. In the old and primary Commandments, the Hebrews had been taught, that God visits the iniquity of the fathers upon the children to the third and fourth generation of *those that hate Him*. Yet for many centuries afterwards, the proverb was current in Israel, “The fathers have eaten sour grapes, and the children’s teeth are set on edge.” Then Ezekiel, opposing this doctrine, declared: — “The soul that sins, it shall die; the son shall not bear the iniquity of the father, nor shall the father bear the iniquity of the son” (Ezek. XVIII. 20; comp. Deut. XXIV. 16). And now our author, combining and applying the thoughts of the old and the recent master, insisted, that his countrymen were indeed suffering for the iniquity of their fathers, but only because they themselves “hated God”, or had “walked contrary to Him”; their “teeth were on edge”, because they themselves had “eaten sour grapes”; and they died and suffered because

they had acted wickedly like their fathers. As once “the sin of the Amorites had been full”, so the sin of the Hebrews was full then; their ancestors had begun to add guilt to guilt, and they had themselves completed the measure. Thus we have here again the same pragmatic survey and the same inductive construction of history which we have before admired (see p. 384); but we have *history* indeed; the non-observance of the Sabbatical years for many centuries was known to the author as a sad experience (see *supra* p. 535); and on such facts he built up a system, which, as might be expected, is indeed founded on history and philosophic thought, but culminates in theology and ethics.

In Deuteronomy, the picture of agonising restlessness and gratuitous terror is more detailed, yet hardly more thrilling, than in our passage: among the nations the Hebrews find no ease and no repose, for God gives them “a trembling heart, and failing of eyes, and sorrow of mind”; their lives are in constant danger, they fear day and night, and are never confident of safety. As a parallel, we may add a few lines of a Hindoo code, from which we have quoted before, and which thus describes the punishment of the sinner: “In his sleep he is violently plunged into water, and . . . falls in with carnivorous beasts; he is in the company of persons of the lowest castes, and of asses and camels; wherever he walks, he fancies himself pursued by enemies; he is distracted in mind, does useless things, and desponds without cause: if he be a prince, he does not obtain the government, . . . if a scholar he gets no appointment, if a merchant no profit, if a husband-

their fathers with them shall they pine away. 40. Then they will confess their iniquity and the iniquity of their

man no harvest" (*Yājñav.* I. 271—275).

PHILOLOGICAL REMARKS. — The meaning of *הָאֵרֶץ* and of the Hiphil *הָאֵרֶץ* in connection with *הָאֵרֶץ* (vers. 34, 43) is apparent from ver. 43, in which the words *הָאֵרֶץ* ... *הָאֵרֶץ* are evidently placed in juxtaposition with *וְהָאֵרֶץ*; but the latter words mean unquestionably "and they — the Hebrews — shall pay for their iniquity", that is, pay the penalty of their iniquity (comp. also ver. 41; Luther die Strafe ihrer Missethat); therefore, the first phrase *וְהָאֵרֶץ* ... *הָאֵרֶץ* signifies no doubt, "and the earth shall pay the penalty of its (neglected) Sabbatical years", as a debt which it has incurred; which figure of speech is fully in harmony with Biblical notions (comp. *Ebn Ezra* ...; *Abarbanel* in loc. *וְהָאֵרֶץ*, and *הָאֵרֶץ* ... *הָאֵרֶץ*). The verb *הָאֵרֶץ* with the accusat. indeed means frequently to enjoy or to delight in something (comp. *Prov.* III. 12; *Job* XIV. 6; etc.); but the translation "the land shall enjoy its Sabbaths", that is, shall delight in them (so *Engl. Vers.*, *Keil*, a. o.), besides disregarding the parallelism referred to, involves an idea hardly in harmony with the context; for the land must be supposed to mourn, in sympathetic grief, for the misfortunes of the Hebrews and its own desolation, rather than to enjoy or to delight in its compulsory rest (comp. ver. 32, and the passages there quoted; see also 2 Chr. XXXVI. 21). Others render, even less plausibly, "the land will appease (*וְהָאֵרֶץ*) God on account of the Sabbatical years" (*Rashi*); or "the land will conciliate the Sabbatical

years" incensed at the neglect they have suffered (*Herxheim.*); etc. — *הָאֵרֶץ* is literally "its being devastated", though the suffix *הָאֵרֶץ* is without the mappik (comp. *Exod.* II. 3, *וְהָאֵרֶץ*; see *Gram.* § LXII. 8); or it may be a feminine termination of the infinitive, which occurs so often in *Kal*, occasionally in *Piel*, and once in *Hiphil* (*וְהָאֵרֶץ*; see *Gram.* § XXXIX. 1). — About *וְהָאֵרֶץ* instead of *וְהָאֵרֶץ* see *supra* on XXV. 21 *וְהָאֵרֶץ*; p. 558. — As *וְהָאֵרֶץ* is construed with the accusative (comp. XXIII. 32, *וְהָאֵרֶץ*), it is easy to account for the phrase *וְהָאֵרֶץ* ... *וְהָאֵרֶץ* (ver. 35), that is, the earth will rest or keep the Sabbath which it did not keep before; *וְהָאֵרֶץ* needs, therefore, not to be translated "because" (*Engl. Vers.* a. o.), as it is always a real, though elliptical, accusative (so also in *Gen.* XXX. 29; *Deut.* IX. 7; XXIX. 15). — Jewish writers attempt various computations to show, how the number of neglected Sabbatical years coincides with the years of the captivity (see *Rashi* in loc. after *Seder Olam*; *Abarbanel* in loc.; etc.: comp. *supra* on XXV. 1, p. 536; see also *Ezek.* IV. 4—6; XIV. 34). — On the construction *וְהָאֵרֶץ* ... *וְהָאֵרֶץ* (ver. 36), the principal notion being placed first in an absolute form, see *Gram.* § 75. 5. — *וְהָאֵרֶץ*, as appears from the parallel passage in Deuteronomy (XXVIII. 65), is faintness or fear, cowardice and anguish (*Sept.* *δύλιζ*, *Vulg.* *pavor*, etc.), whether the word be derived from *וְהָאֵרֶץ* to be timid, after the analogy of *וְהָאֵרֶץ* from *וְהָאֵרֶץ*, or from the root *וְהָאֵרֶץ* (which, however, occurs nowhere else in the O. T.) kindred with *וְהָאֵרֶץ* and *וְהָאֵרֶץ* to rub away, to wear out (comp. *Ezek.* XXI. 12, *וְהָאֵרֶץ*).

fathers in trespassing against Me, and also that they have walked contrary to Me; 41. *And that* I also have

— וְנָסוּ מִפְּנֵי הַחֶרֶב; literally, 'and they shall flee the sight of the sword, that is, as if they were escaping from the sword (comp. ver. 37, כָּסוּתִי הָיָה, and ver. 25, נָסוּ מִפְּנֵי הָאֵשׁ). — With וְנָסוּ מִפְּנֵי הָאֵשׁ compare Prov. XXVIII. 1, וְנָסוּ מִפְּנֵי הָאֵשׁ. — וְנָסוּ מִפְּנֵי הָאֵשׁ (ver. 37) standing, or power to stand (καὶ οὐ δύνασθαι δύνανται; comp. Josh. VII. 12, 13; Judg. II. 14). — וְנָסוּ מִפְּנֵי הָאֵשׁ (ver. 38), comp. Ezek. XXXVI. 13; Num. XIII. 32. — With וְנָסוּ מִפְּנֵי הָאֵשׁ (ver. 39) compare Ezek. IV. 17 (וְנָסוּ מִפְּנֵי הָאֵשׁ); XXIV. 23 (וְנָסוּ מִפְּנֵי הָאֵשׁ); XXXIII. 10. — They shall pine away וְנָסוּ מִפְּנֵי הָאֵשׁ on account of the sins of their fathers with them, that is, on account of their fathers, who sinned with or like them. (Onkel. "and also on account of the evil sins of their fathers which they hold fast in their hands, shall they pine away"; similarly Siphra, Rashi וְנָסוּ מִפְּנֵי הָאֵשׁ, etc.). Others explain, "on account of the sins of their fathers, which are with them, and which they must bear and expiate"; and others again, joining וְנָסוּ מִפְּנֵי הָאֵשׁ with וְנָסוּ, translate, "they shall pine away with them"; so the Masorites understood the words, as they placed a conjunctive accent beneath וְנָסוּ. — In the 39th and the following verse חַטָּאת is iniquity, not punishment of iniquity.

40—45. But the author, who longed for the revival of the house of Israel, could not conclude with menace and despair; and as his object was to reform and to encourage his sorely tried countrymen by rebuke, rather than to crush them by anguish, he held out to them the prospect of help and release, and of a speedy restoration to Divine favour. He saw with satisfaction, that they had

at last begun to connect their misfortunes with their own reckless iniquity and that of former generations, to confess their sins, nay to humble their hearts hitherto hardened and "uncircumcised"; and accustomed as he was to trace the course of events to the people's conduct, and firmly relying on God's justice and mercy, he confidently predicted, that those germs of contrition and repentance would burst forth in deliverance, and result in God's gracious remembrance of the covenant concluded with the primeval patriarchs, and ratified by the wonderful redemption from Egypt. He was justified in regarding that feeling of humility and penitence as strong and genuine; for it did not remain without fruits; it gave rise to the development of the sin-offerings, which approach nearest to a true heart service, and to the institution of the Day of Atonement, which preserved in the nation at once a consciousness of human guilt and a yearning for Divine purity (see *supra* p. 276). But though sure of God's renewed favour, he described the form in which it would be manifested with caution; he merely assured his anxious contemporaries, that "even in the land of their enemies, God would not cast them away nor abhor them, to destroy them utterly, and to break His covenant with them." He did not even speak with the decision and distinctness of his predecessors; for he must have read in the Book of Jeremiah the Divine announcement, "After seventy years are accomplished at Babylon, I will remember you, and perform My good promise toward you, in causing you to return to this place" (Jer. XXIX. 10; comp. XII.

walked contrary to them, and have brought them into the land of their enemies: if then their uncircumcised

15, 16; XXIV. 6); and he was no doubt familiar with the prophecy of Ezekiel, "In My holy mountain, says the Lord God, there shall all the house of Israel, all of them in the land serve Me; there will I accept them, and there will I require your offerings . . . I will accept you with your sweet odour, when I bring you out from the people, and gather you out of the countries wherein you have been scattered" (Ezek. XX. 40, 41). He merely, in his own more brief and emphatic manner, expressed again the hope of the *moral* regeneration of Israel; and as a sure guarantee of deliverance, he pointed to God as the Eternal and Unchangeable (אלהים נצח), who was certain to redeem His old pledges. Like all the nobler minds, he clung, with rocklike firmness, to the conviction, that God had entered with the Hebrews into relations absolutely and for ever indestructible; this conviction proved an anchor in times of trouble, and a beacon in ages of depravity. How far he followed the two great prophets nearly contemporary with him, may be judged from the following parallels. "I will give thee", declared Jeremiah in the name of God, "a heart to know Me that I am the Lord; and they shall return to Me with their whole heart" (Jer. XXIV. 7; comp. XXIX. 12, 13; XXXII. 39—41; XXXIII. 7, 8); and more explicitly still wrote Ezekiel, "And they that escape of you shall remember Me among the nations whither they shall be carried captives, when I have subdued their faithless heart, which has departed from Me, . . . and they shall loathe themselves for the evils which they have committed in all their abominations" (Ezek. VI. 9;

comp. XI. 18—20; XVI. 60; XXXVI. 25—33; XXXVII. 23—28; see also Deut. IV. 29—31; XXX. 1—10). Our author is indeed full of trust; but so dense is the gloom of exile, and so sad the reality around him, that hope seems like a distant and indistinct vision.

His pictures of blessing and curse, though grand and largely conceived, move within the old ideas of retribution: piety secures earthly boons, wickedness is attended with calamity, and the deeds of one generation are sure to influence the fate of later ages — as the Hebrews suffered for their ancestors' sins, so also were they benefited by their ancestors' merit and righteousness. Yet there are several points which, in fairness to our author, ought not to be overlooked. Addressing his speech to the nation, rather than to individuals, he is justified in making national prosperity dependent on public virtue; and in doing so, he by no means confines himself to material boons, such as wealth and power, long life and posterity; but his promises comprise God's presence in the midst of the people and His spiritual grace; while his menaces include despondency and oppression of heart, gnawing remorse and torturing self-reproach. A nation that aimed at being a "holy" people, because God, their Ruler and Guide, is holy, cannot be said to have regarded virtue simply as a means of worldly success, and not to have prized and practised it for its own sake. The healthy mind will ever hold fast to the belief, that dutiful and conscientious work does not only yield inward satisfaction, but will also procure the necessities of life; the

hearts will be humbled, and they will then pay *the penalty* of their iniquity, 42. I will remember My covenant with Jacob, and also My covenant with Isaac, and also My covenant with Abraham will I remember; and I will remember the land. 43. For the land shall be deserted by them, and shall pay off its Sabbaths, while it lies desolate without them; and they shall pay *the penalty* of their iniquity, because, even because they despised My judgments, and because their souls abhorred My statutes. 44. And yet

contrary conception would engender the utmost prostration and confusion. Long before the Babylonian age, in which our author wrote, the questions of Divine government, and the apparent arbitrariness in the distribution of human happiness, had engaged many reflecting minds; but their speculations had led to no new conclusions; the sum of their convictions remained, as it had been of old, "Say to the righteous that it shall be well with them, for they shall eat the fruit of their doings; woe to the wicked! it shall be ill with him; for the reward of his hands shall be given to him" (Isai. III. 10, 11). Yet even after the Book of Job had, in the Persian period, discussed the subject with a depth, a power, and a boldness till then unexampled, the traditional views remained practically prevalent. For in seasons of sorrow, men found no great comfort in the *negative* results set forth in that Book — neither in the melancholy and humiliating truth that wisdom is nowhere found among men, nor in the abstract maxim that the decrees of God are unfathomable and inscrutable: for resignation is not happiness, and the virtual abandonment of a momentous and vital problem does not secure peace and contentment. It was only when the doctrine of immortality or of future

compensation was developed and gained ground, that all doubts were solved and all anxieties calmed. However, even then the people adhered to the time-honoured teaching, which is so congenial to the human mind, because it manifests God's justice and providence in the most direct manner; and the doctrine of retribution pervades the New Testament as it pervades the Old (comp. Matth. XIX. 29; Luke V. 20; John V. 14).

PHILOLOGICAL REMARKS. — On וְאֵלֶיךָ (ver. 40), which involves the notion of faithlessness, and refers here to the heedless breach of the Divine covenant on the part of the Hebrews, see Comm. on Levit. I. 267 note 20; and on the metaphorical use of וְאֵלֶיךָ (ver. 41), notes on XIX. 23 and Exod. VI. 12. — The words אֲנִי אֶלֶיךָ (ver. 41) must logically be construed with וְאֵלֶיךָ (ver. 40), and are co-ordinated with וְאֵלֶיךָ; therefore אֲנִי אֶלֶיךָ stands for אֲנִי אֶלֶיךָ, and the future אֲנִי אֶלֶיךָ, expressing a continued or often repeated action, has the meaning of the past (Gramm. § 94. e): in their exile, the Hebrews will acknowledge, that their distress was inflicted upon them by God in His anger and "hostility"; and that they had fully merited it by their wickedness. — אֲנִי seems here to have the sense of *if* (as in IV. 28; Exod. XXI. 36; 2 Sam. XVIII. 13) — "if

even so, while they are in the land of their enemies, I do not cast them away, nor do I abhor them, to destroy them utterly, and to break My covenant with them; for I *am* the Lord their God. 45. But I will for their sakes remember the covenant of their ancestors, whom I brought forth out of the land of Egypt before the eyes of the nations, that I might be their God: I *am* the Lord.

46. These *are* the statutes and the judgments and

then (after the confession of their sins) the Hebrews humble their hearts, then I will remember My covenant"; the Sept. omits 'א, the Vulgate renders אֶ֫מְכֹנֶה, Luther da wird sich ja ihr Herz demüthigen, Rosenm. usque dum, Maurer nisi forte, Knob. ob etwa, Keil oder vielmehr. — אֶ֫מְכֹנֶה אֶתְּכֶ֫ם is "they will pay the penalty of their iniquity" (see *supra* on ver. 34); some take אֶ֫מְכֹנֶה here also in the sense of enjoying, and translate either "they will be well pleased with their sins" (Sept. εὐδοκῆσαι τὰς ἀμαρτίας αὐτῶν; Keil sie werden ihre Missethaten genießen), or "they will take pleasure in the punishment they receive for their sins" (Luther sie werden sich die Strafe ihrer Missethat gefallen lassen); that is, as has been explained, "they will rejoice to have been so deeply humbled, and to have thus been brought to see the abyss of sin into which they had fallen" (Keil) — or "having repented, they shall have the blessing of chastisement" (*Cook's Holy Bible*) — an idea which its advocates themselves describe as "bold" or "paradoxical", and which certainly appears too abstract (comp. Tobit XIII. 1—15). The Vulgate renders inaccurately tunc orabunt pro impietatibus suis. — On the irregular phrase אֶ֫מְכֹנֶה אֶתְּכֶ֫ם, a construct state following after a

noun with a suffix, see Gramm. § LXXXVII. 11 (but in 2 Ki. XIII. 23, אֶ֫מְכֹנֶה אֶתְּכֶ֫ם; comp. Lev. XXVII. 12, אֶ֫מְכֹנֶה אֶתְּכֶ֫ם; though some take the אֶ֫ in אֶ֫מְכֹנֶה as a paragog. "the covenant of Jacob"; comp. *Gesen.* Gramm. § 322. 2); and on אֶ֫מְכֹנֶה for אֶ֫מְכֹנֶה (with dagesh in ו), see Gramm. §§ XI. 4. b; LXII. 8. — The emphatic conjunction וְ (ver. 43) occurs, besides, only in Ezek. XIII. 10, and וְ in Ezek. XXXVI. 3.

46. Here ended the collection of laws, which tradition or some learned historian assigned to the period, when the Hebrews were encamped in the regions of Mount Sinai; and here the Book of Leviticus was originally finished — "These are the statutes and the judgments and the laws, which the Lord made between Himself and the children of Israel in Mount Sinai by the hand of Moses". It was at the end of the Book that the compiler fitly placed the promise of rewards and the menace of punishments; and not to him is due the incongruity, that a new series of important laws, also purporting to have been revealed in the district of Horeb, was appended, and that the reviser then added another formula of conclusion (XXVII. 34), which not only rendered that of our chapter superfluous, but made it appear inappropriate. — The term

the laws, which the Lord made between Himself and the children of Israel in Mount Sinai by the hand of Moses.

"in Mount Sinai" (בְּהַר סִינַי) means not only the mountain itself, but also the localities near it, since many laws were communicated to Moses from the Tabernacle (see *supra* p. 539).—The commands were intended to confirm the covenant concluded between God and the Hebrews, or they formed a part of that covenant; and hence the expression "the laws which the Lord made between Himself and the children of Israel" (בְּרֵי וְיִרְיָ) (בְּנֵי יִשְׂרָאֵל), aptly points to the chief object of the theocratic legislation.



X.

LAWS ON VOTIVE OFFERINGS AND TITHES.

CHAPTER XXVII.

SUMMARY. — This appendix begins with the laws concerning votive offerings; viz. 1. If *persons* are dedicated or dedicate themselves to God by a vow (נֶשֶׁב; vers. 1—8); 2. If *animals* are offered to God as vows (vers. 9—13), for which purpose, however, firstborn beasts are not available (vers. 26, 27); 3. If *houses* (vers. 14, 15), and 4. If *fields* are so sanctified (שֶׂדֶה; vers. 16—26); and 5. If men, animals, or hereditary fields are “devoted” (נֶחֱמָה) to God (vers. 28, 29). — Then follow precepts respecting the tithes both of vegetable produce and of the increase of flocks and herds (vers. 30—33). — Another conclusion winds up the collection of Sinaitic laws (ver. 34).

1. And the Lord spoke to Moses, saying, 2. Speak

1. *General Survey.* — Vows so naturally result from the same feelings and notions as sacrifices, that both are co-eval and nearly co-extensive. A vow was offered by the patriarch Jacob in these explicit words: “If God will be with me . . . and I return again to my father's house in peace, . . . then this stone, which I have set for a monument, shall be a house of God; and of all that Thou wilt give me, I shall surely give the tenth part to Thee” (Gen. XXVIII. 20—22); and vows were usual among nearly all the more civilised nations of the an-

cient world. Being pronounced either when dangers threaten, or when they have been successfully overcome, they correspond in meaning to holocausts, and still more to thank-offerings, one class of which is indeed called “vow-offerings” (VII. 16; XXII. 18, 21; see notes in locc., and Comm. on Lev. I. p. 2; Num. XV. 3 *seq.*; Deut. XII. 17, 18; 1 Sam. I. 21). Yet Hebrew legislators and moralists do not seem to have encouraged this form of religious service. Experience had probably taught them, how difficult it was for persons harassed by the ex-

to the children of Israel, and say to them, When a man

citement of trouble and misfortune, to weigh their words with calmness, and not to utter vows which afterwards they might deeply regret, or perhaps regard with amazement; and the one instance of Jephthah, which seems to have been kept fresh in the memory of the people by annual celebrations, was sufficient to serve as a terrible warning. They insisted, therefore, that pledges should be given with the utmost caution. A proverb declared, "It is a snare for a man to be heedless in sacred things, and to consider only after the vow" (Prov. XX. 25); and the Preacher gives the most emphatic admonitions: "Be not rash with thy mouth, and let not thy heart be hasty to utter anything before God; for God is in heaven and thou art upon earth; therefore let thy words be few" (Eccles. V. 1). But they were too conscientious and too earnest to permit trifling with holy promises once made, since they considered them no less solemn and binding than oaths; and they enjoined again and again: "When thou shalt vow a vow to the Lord thy God, thou shalt not be slow in paying it, for the Lord thy God will surely require it of thee, and it would be sin in thee" (Deut. XXIII. 22, 24; comp. Num. XXX. 3); or "When thou vowest a vow to God, defer not to pay it, for He has no pleasure in the wicked; . . . better is it that thou shouldest not vow, than that thou shouldest vow and not pay" (Eccl. V. 3, 4). They seem to have had no reason to complain of want of zeal on the part of the people; for though instances of base evasion may have occurred (Mal. I. 14), vows were, as a rule, faithfully kept even under the most harrowing circumstances. When Jephthah saw his daughter,

who had come out to meet him, he exclaimed, "I have opened my mouth to the Lord and I cannot go back" (לא אכל לשב); and the maiden replied, "My father, thou hast opened thy mouth to the Lord, do to me according to that which has proceeded out of thy mouth"; upon which Jephthah "did with her according to his vow which he had vowed" (Judg. XI. 35, 36, 39; see Comm. on Lev. I. pp. 383—390; comp. also 2 Sam. XV. 7, 8; Ps. XXII. 26; LXVI. 13; LXXXVI. 12; CXVI. 14, 18). Nevertheless the Deuteronomist, anxious to shield the people from guilt, expressly declared, "If you shall forbear to vow, it shall be no sin in you" (XXIII. 23). The levitical writers, on the other hand, were of opinion, that vows, in spite of inherent dangers and disadvantages, might prove an inestimable help in promoting both the spiritual and the material interests which they had at heart. For they had so fully developed the sacrificial system, and had so minutely prescribed offerings and rituals for every conceivable emergency, that they were glad to afford to the people means for the free exercise of piety and for satisfying spontaneous emotions and impulses. And they were naturally desirous of increasing in every possible manner the revenues of the Temple and of their own order. By enacting a series of laws on votive gifts, they might well hope to attain this twofold end most effectually: they introduced an element of liberty into the rigorous compulsion of the Law, and they opened a source of income which, considering the bias of their time, could not fail to prove most productive.

Means had been devised of mitigat-

shall pronounce a vow, the persons *shall be* for the Lord

ing the baneful effects of heedless vows by expiatory sacrifices, which had then been worked out in their full depth. Therefore, a levitical code ordained, that rash pledges and protestations might be atoned for by a female lamb or goat killed as a sin-offering, or in cases of poverty by two turtle-doves or two young pigeons, one presented as a sin-offering, the second as a holocaust (Lev. V. 4—10). And another ordinance, supplementing our law, prescribed that the vows of dependent persons, such as daughters, wives, or slaves, might be annulled by those who have authority over them, and who may be supposed to possess greater experience and superior judgment, by their fathers, husbands, or masters; and it was promised that God would pardon the imprudent utterances (Num. XXX. 3—17). And lastly, the duties of the Nazarite, who by a solemn vow bound himself "to keep aloof" from certain things, and to devote himself entirely to God, were accurately specified, and surrounded with all the solemnity which they could derive from sacrificial ceremonies (Num. VI. 1—21).

As regards the spirit and date of our section, there can hardly be a doubt. When Jephthah made his vow to the effect, that the first who would meet him on his return "should belong to the Lord" (לַיהוָה), he added as an explanation, "I will offer him up for a burnt-offering" (לְעֹלָה, Judg. XI. 31). And when Hannah prayed for a child, "she vowed a vow, and said, O Lord of hosts, if Thou . . . wilt give to Thy handmaid a son, then I will give him to the Lord (לַיהוָה) all the days of his life, and then shall no razor come upon his head"; and

when she brought her young son Samuel to Eli, the chief priest of the Sanctuary of Shilo, she declared, "I will lend him to the Lord (לַיהוָה) as long as he lives, he shall be lent to the Lord" (1 Sam. I. 11, 27; III. 1). But the very first words of our section lay down this principle, "When a man shall utter a vow, the persons shall be for the Lord according to thy estimation" (ver. 2 בְּכִכְּךָ נִשְׁפָּט לַיהוָה). To our author vowing a person to God meant neither offering him up as a sacrifice, nor dedicating him to the service of the Temple, and much less selling him as a slave, but simply redeeming him by money in favour of the sacred treasury: so foreign were the two former alternatives to his mind, that he utterly ignored them, and stated the third as a matter of course and as the only one to be at all considered. For in his time, human sacrifices, offered from whatever motive, were deemed an abomination, since then even that stage of the practice which underlies the story of Isaac's intended sacrifice, had long been passed; and in his time, the Levites were exclusively the appointed ministers of the Temple; any Hebrew of another tribe arrogating to himself priestly or levitical functions, was held guilty of death, and believed to bring fearful disasters upon the whole community (see Comm. on Lev. I. pp. 401, 412, 583). During many long ages women also seem to have served at the common Sanctuary, and might therefore dedicate themselves to God in the same manner as men; but by the levitical constitution they were utterly excluded from sacred ministrations, not only on account of the excesses to which their presence might give rise, but especially because their

according to thy estimation. 3. And thy estimation shall

condition of purity is periodically disturbed (comp. Exod. XXXVIII. 8; 1 Sam. II. 22). Now, as our law distinctly provides for the contingency that women vow themselves to God, it is evident, that redemption by money is invariably intended. The contrary opinion, which has been advocated by some, seems hardly to require a refutation, since it is opposed to the very spirit and tenour of our commands; but we may point out, that even the very poorest were to be "estimated" (ver. 8) and redeemed by any sum they might be able to afford, however much it fell short of the legal valuation; personal services were in no case demanded of them; and Hebrews who devoted themselves to God of their own free will, cannot be compared with the *Nethinim* or Temple servants, who, like the Gibeonites, were commonly foreigners or captives of war (comp. Comm. on Lev. I. 484, 485).

As early as in the remoter portions of the monarchical period, a certain practice with respect to the redemption of dedicated persons seems to have been established; for king Joash, in the instructions he gave as to the repairs of the Temple, mentioned "money of holy things, that was brought into the House of the Lord, current money, the money of every person according to his estimation" (2 Ki. XII. 5, *אשר נתנו כסף קדש: כסף נכר: כסף נכר: כסף נכר*). But to our author was reserved that precise and systematic gradation in every detail, which is so striking a characteristic of the laws of sacrifice and purity, and which bespeaks the most advanced age of religious legislation. And this minuteness is coupled with a depth of spiritual conception which is no less significant. For why was it necessary to enact ordinances on

the dedication of persons, which in reality amounts to the payment of certain sums of money? But is it indeed nothing else than a free-will gift of silver? If a man dedicated himself to God, or if he dedicated to Him his child, he presented a holy offering of which the shekels he paid were merely a symbol; he gave up himself or the dearest treasure of his heart to Him whom he thereby acknowledged as the source of life and all happiness; the feeling which prompted this sacrifice hallowed his whole being and his future existence; and he was for ever a servant of the Lord. Therefore, it was expressly stated, that all estimations in reference to vows "should be according to the holy shekel" or "the shekel of the Sanctuary" (*בשקל הקדש*, ver. 25); if a clean sacrificial animal was vowed, it should not be redeemed at all, but remain sacred property (vers. 9, 10); and if an hereditary field, the owner should have no claim upon it before the next Jubilee (vers. 16—21). The dedication was meant to be an act of the most perfect devotion and self-denial. Who can fail to see, that laws so remarkably combining the claims of humanity and expediency, of spiritual life and a completely developed hierarchy, are the result of religious and political experience extending over many generations? If an additional proof were wanted, it might be found in the fact, that some of these ordinances are associated with the Jubilee (vers. 16—24), which, as we have shown, was the very latest of the great theocratic institutions, having been introduced even after the appointment of the Day of Atonement, with which it was brought into connection (see *supra* pp. 272, 539). And

be of the male from twenty years old to sixty years

this very late origin of our commands on votive gifts fully harmonises with the nature of the precepts on tithes (see notes on vers. 30—33). Our chapter has, therefore, been fitly placed at the end of the Book of Leviticus, of which it forms a most characteristic appendix.

PHILOLOGICAL REMARKS. — From these observations it will be evident, that an organic relation between this and the preceding sections cannot be discovered. The fact that in our chapter the Year or jubilee is incidentally mentioned, constitutes no internal connection with the twenty-fifth chapter, in which the Jubilee is elaborately discussed; and even if it did, both chapters are separated from each other by the announcement of blessings and curses (ch. XXVI). Another proof of unbroken continuity has been attempted by the following speculations. In the laws of the Sabbatical year and the Jubilee, God asserts His rights as the lord of the holy land; no less emphatically does He assert them in the law of tithes (vers. 30—33); and both laws have the identical object of securing to the people the true worship of God as their most precious privilege; now the tithes are meant to provide for the sustenance of the Levites, who principally help to uphold the covenant between God and Israel, and the same end is promoted by the ordinances on votive gifts; hence the laws of tithes and vows conclude appropriately the Sinaitic legislation, which can only be carried out by the aid of the Levites (comp. *Banke*, *Untersuch.* I. 111; II. 121, 122). We admit, that the two principal subjects of our chapter fully accord with the tendency of the Book of Leviticus; for vows are

a kind of offering, and the tithes support the priesthood; but the laws of sacrifice are virtually concluded in the seventh chapter, and the laws of the priesthood in the twenty-second; moreover, the ordinances on tithes do not refer to God as the Lord of the land, but as the Bestower of all wealth and prosperity, for they comprise the increase of flocks and herds also. The concluding formula at the end of the preceding chapter (XXVI. 46) unquestionably stamps our section as a later supplement added to the collection of Sinaitic laws; to suppose that it merely relates to the precepts on the Sabbatical year and the Jubilee, is impossible from its wording, "These are the statutes and the judgments and the laws" etc. (see *supra* p. 611). Hence some expositors, ready to concede the principal point, defend the supplementary character of our chapter by suggesting, that "vows and dedications form no integral part of the laws of the covenant, but being a voluntary exercise of piety common to all religions, lie properly beyond the sphere of the Law, and are here only meant to be harmonised with the legal codes of the Hebrews" (*Keil*, *Lev.* p. 165): but precisely the same might be said of a large portion of the sacrifices; they are voluntary, they are common to all ancient religions, and they are harmonised with the monotheistic conceptions of the Israelites. Bertheau (*Gruppen*, pp. 242—246) sees in the contents of Levit. XXVII. 1 to Numb. X. 10 a series of additions to the Sinaitic legislation, and observes, that our chapter (in which he counts two decades of laws) is joined with the preceding one "quite loosely and without any clear connection". Perowne admits, that it is "a later

old, thy estimation shall be fifty shekels of silver, after the shekel of the Sanctuary. 4. And if it *be* a female, then thy estimation shall be thirty shekels. 5. And if *it be* from five years old to twenty years old, then thy

appendix", and supposes, that "the transcriber considered it to be an integral part of the original Mosaic legislation, though he might be at a loss to assign it its place" (*Smith's Dictionary of the Bible*, II. 114; see on the other hand, *De Wette*, Beiträge, II. 286; *Vater*, Pentat. III. p. 477; *Nöldeke*, Untersuchungen, p. 71, etc.).

2—8. The scale of prices fixed for the redemption of persons, is sufficiently intelligible. As men were supposed to attain their full vigour in their twentieth year, the Israelites were, from this age, included in the national census, and from the same age the Levites were, at least in later times, admitted to their sacred ministrations (comp. Exod. XXX. 14; Num. I. 3; 1 Chr. XXIII. 27; 2 Chr. XXXI. 27; Ezra III. 8; see, however, Comm. on Lev. I. pp. 602, 603). And as the physical and intellectual powers were considered to remain essentially unimpaired to the sixtieth year, the highest sum of 50 shekels was demanded as a ransom for a man within those two epochs of life; while a woman of the same age, according to the current notions of woman as "the weaker vessel" (1 Pet. III. 7), had only to pay 30 shekels. From sixty years and upwards, about one third of the sums named was deemed sufficient, viz. 15 shekels for a man, and 10 for a woman. Before the expiration of the first month after their birth, children could not be dedicated to God at all; for till then they were not considered as fully developed, and as having attained a well secured existence; and for similar

reasons, animals were not accepted as sacrifices before their eighth day (XXII. 27, p. 483). And as the life of infants up to their fifth year is precarious, and mortality among them is very considerable in the East, boys and girls between one month and five years old could be released for the small amounts of five and three shekels respectively. Lastly, males between five and twenty years might be redeemed for twenty shekels, a sum larger than any other ransom except the highest, while females of that age were only valued at the same price as women above sixty years.

These figures will be better appreciated if it be remembered, that one fourth of a shekel (or about 8^d) was, in Samuel's time, deemed an acceptable present to be offered to a seer or "a man of God" for his advice and information (1 Sam. IX. 8); the expiation money paid by every individual when the census was taken, was half a shekel (Exod. XXX. 13); in seasons of abundance a seah (about one third of an ephah) of wheat, or double the quantity of barley, was sold for one shekel (2 Ki. VII. 1); a good vine was valued at the same price (Isai. VII. 23), and the annual produce of one of king Solomon's vineyards at a thousand shekels (Cant. VIII. 11); in the period of the Judges, a Levite might be hired as a family priest for the annual salary of ten shekels, besides board and clothing (Judg. XVII. 10); the ordinary price of a slave seems to have been thirty shekels, though lower sums were given (Exod. XXI. 32; comp. Gen. XXXVII. 28); oppressive

estimation shall be of the male twenty shekels, and of the female ten shekels. 6. And if *it be* from a month old to five years old, then thy estimation shall be of the male five shekels of silver, and for the female thy

governors exacted from the people an annual impost of forty shekels, besides requisitions of bread and wine (Neh. V. 15); a treshingfloor and an ox were deemed well paid by fifty shekels (2 Sam. XXIV. 24; comp. however, 1 Chr. XXI. 25); in the same amount a man was fined for dishonouring a virgin, and double that sum was imposed upon a husband for defaming his young wife (Deut. XXII. 19, 29); and in the reign of Solomon, an Egyptian horse, at that time a rare and almost extravagant luxury in Judea, was purchased at 150 shekels (1 Ki. X. 29; comp. Gen. XXIII. 15; Josh. XXIV. 32; see Comm. on Gen. p. 457).

But it is important to notice, that the redemption money was absolutely the same for all, for the rich and the needy, the free and the dependent, the healthy and the infirm; this proves again, that the money was a sacred symbol, rather than a real equivalent; and it is analogous to the older law that, when the people were numbered, "the rich should not give more, and the poor should not give less, than half a shekel . . . to make an atonement for their souls" (Exod. XXX. 15, and notes in loc.). Philo assigns three reasons for the equality of the ransom — first, "because the importance of the vow is the same, whether it be made by a person of great or of little importance; secondly, because those who have dedicated themselves to God, should not be treated like slaves, who are valued at a high or at a low price, according to the good condition and comeliness of their bodies or the contrary; and thirdly, which is indeed the

most weighty consideration of all, because inequality is upheld among men, but equality is honoured by God" (*Philo*, Specc. Legg. c. 8): the first reason together with the third seems to express most aptly the spirit of our law. The vows of abstinence, by which "a person binds his soul with a bond" (עֲבָדָה נַפְשׁוֹ), whether relating to the duties of the Nazarite, or to some special and more transitory privations, are treated of in later sections of the levitical legislation, and are based on religious principles of a somewhat different kind (see Num. VI. 1—21; XXX. 2—17).

It will suffice to mention a few of the numerous Rabbinical qualifications of our ordinances. If anyone omits to pay the money he owes to the Temple treasury for vows, his goods may be forcibly taken away; yet the officials are bound to leave him sufficient for his sustenance during thirty days, bedding for twelve months, his sandals and phylacteries — all this, however, only for himself, not for his wife and children; if he is a mechanic, they must leave him two sets of his necessary tools; if a husbandman, a yoke of oxen; and if a donkey driver his animal; nor must his wife's property or his children's clothes be touched (*Mishn.* Erach. VI. 3—5; comp. I. 1—3; II. 1; III. 1, 2; IV—VIII). — Men are permitted not only to dedicate the "estimation" of their own persons but of others also (עֲבָדָה בְּעַד אֲחֵרִים); and besides, all may vow "the value" of others, that is, the price which these would realise if sold in the slave market, and which in some cases might be higher, in

estimation *shall be* three shekels of silver. 7. And if *it be* from sixty years old and above; if *it be* a male, thy estimation shall be fifteen shekels, and for the female ten shekels. 8. But if he be poorer than thy estimation,

others lower than the uniform valuations fixed in our law (*Mishn. Erach. I. 1; V. 3, 4*).

PHILOLOGICAL REMARKS—The term נָשָׂא נֶדֶר (ver. 2), like נָשָׂא נֶדֶר (XXII. 21, see *supra* p. 480) seems indeed, as many, especially Jewish, interpreters suppose, to imply, that the vow must be distinctly pronounced in words, and not merely conceived in the mind; at least the Hebrew text, in treating of the subject, often employs such phrases as “the utterance of the mouth or the lips” (נִשְׁמַת פִּי, Deut. XXIII. 23; or כָּל הַדִּבְרֵי פִי, Num. XXX. 3; comp. Judg. XI. 35, 36, “I have opened my mouth”; Ps. LXVI. 14, “that which my lips have uttered and my mouth has spoken”; Lev. V. 4; Eccl. V. 1; hence Onkel. נִשְׁמַת פִּי, Jon. נִשְׁמַת פִּי, Rashi נִשְׁמַת פִּי, Ebn Ezra נִשְׁמַת פִּי, and still more explicitly Rashbam נִשְׁמַת פִּי). However, the same notion is often expressed by the simple phrase נָשָׂא נֶדֶר (Deut. XXIII. 22, 23; Judg. XI. 30; 2 Sam. XV. 7, 8; Jon. I. 16; Eccl. V. 3, 4, etc.; therefore Sept. δε ἀν εὐχεται εὐχῆν, Vulg. qui votum fecerit, Vater zum Gelübde bestimmen, Rosenm. quum quis devoverit Deo; comp. Num. VI. 1, where both terms are used conjointly נִשְׁמַת פִּי (נִשְׁמַת פִּי); we should probably not be warranted in laying stress on the verb נָשָׂא and in rendering, “When a man shall make a *singular* vow”, i. e. besides the ordinary offerings (Engl. Vers., Luther a. o. ein besonderes or vorzügliches Gelübde thun; etc.); and it is certainly against the spirit of these laws to translate, “If a man is singular enough to make a vow”,

and to explain, that “the lawgiver seems to express his astonishment that anyone should impose upon himself exceptional and useless privations” (*Saalsch. Mos. R. pp. 361, 364*): it is true, the Hebrew legislators, as a rule, did not encourage vows, and similar was the tendency of the Rabbins, whose views are thus expressed by Maimonides: “Never did I hear from our sages a more judicious observation on the subject than that found in the ninth section of the Talmud of Jerusalem, in which those are censured who take upon themselves oaths and vows, and thereby become like fettered slaves; for Rabbi Ida said in the name of Rabbi Isaac, Is not that which the Law forbids, enough for thee, and must thou forbid to thyself other things besides”? (*Maimon. Shemon. Perak. c. 4*). Yet the minute precepts of the Biblical writers prove how much merit and holiness they attached to self-imposed sacrifices in favour of the Sanctuary and its ministers. — The suffix in נָשָׂא נֶדֶר and נָשָׂא נֶדֶר (vers. 2 *agg.*) cannot refer to the vowing Israelite, for we read in ver. 8, “but if he (the Israelite) be poorer than thy estimation”; nor can it properly refer to the priest who is not mentioned in the introductory words, and who seems to be different from the person who makes the valuation in the first instance, as we must infer from the words, “if he be poorer than thy estimation, then he shall be brought before the priest” (ver. 8; see, however, *Ebn Ezra* in loc.); in fact, according to the plain syntactical construction, that suffix can only

then he shall be brought before the priest, and the priest shall value him; according to the ability of him who vowed shall the priest value him.

apply to Moses, who is the person addressed (comp. V. 15, 18, 25), and we must suppose, that some representative of the levitical order was meant to have the supervision of the transactions; a priest was probably not indispensable, as the amount was by the Law clearly fixed for every age and both sexes; only in cases when scope was left to personal decision, the matter was brought before an Aaronite (vers. 8, 11, 12, 14). It seems, that later Judaism gave in these and similar instances the right of estimation to any Israelite (comp. *Mishn.* Erach. I. 1; Sanh. I. 3; Meg. III. 3). It is, therefore, quite unnecessary to translate the suffix in $\text{וְהִנֵּחַ$ by the *third* person, as the greater part of the ancient versions do (Sept. $\tau\eta\varsigma\ \psi\upsilon\chi\eta\varsigma\ \alpha\upsilon\tau\omicron\upsilon$, Vulg. dabit, Jon. וְהִנֵּחַ , etc.), or to consider it as paragogic (as in וְהִנֵּחַ Gen. XIII. 10), or as superfluous (see *Rashi* and *Ebn Ezra* in loc.), or as formative, after the analogy of וְהִנֵּחַ and וְהִנֵּחַ (Rashbam; see the Rabbinical explanations in *Siphra* ad loc.; *Talm.* Erach. 4^b; comp. Comm. on Levit. I. 520, 521). Rosenmüller renders וְהִנֵּחַ aestimatio quae aestimaberis seu aestimandus eris, which is not suitable in the second verse. — The first clause of the sentence (ver. 2) is no doubt finished after וְהִנֵּחַ ; but some take the whole of the second verse as the protasis, as if the Hebrews had been permitted to dedicate their persons to God otherwise than by substituting the appointed sums of money (so Targ. Onk. and Jon., Sept. $\alpha\upsilon\tau\omicron\upsilon\ \tau\eta\varsigma\ \psi\upsilon\chi\eta\varsigma\ \alpha\upsilon\tau\omicron\upsilon\ \tau\eta\varsigma\ \kappa\upsilon\pi\tau\iota\phi$, a. o.: the Vulgate, adding some words, combines both con-

ceptions, et spoponderit Deo animam suam, subaestimatio dabit pretium.

— The term וְהִנֵּחַ hardly includes the beasts (*Ebn Ezra*), since the case immediately following (ver. 9) is that of clean sacrificial animals, with respect to which substitution of money was not permitted. — On וְהִנֵּחַ (ver. 3) see *supra* p. 611, XXVI. 42 וְהִנֵּחַ . — About the value of the holy shekel (וְהִנֵּחַ) see Comm. on Exod. p. 411; comp. also Comm. on Lev. I. 519. — The verb in וְהִנֵּחַ (ver. 8) has impersonal meaning — he shall be placed before the priest: those who suppose, that in this entire portion Aaron or the priesthood is addressed, are compelled to render those words, “and he (the priest) shall place him before the priest” (*Ebn Ezra* וְהִנֵּחַ), which translation cannot be supported by any complete analogy. — According to the *Mishnah* (*Erach.* IV. 4), the last year of each period of life mentioned in the text, is reckoned with the preceding period, and valued accordingly, whether thus the amount be to the advantage or to the disadvantage of the treasury, f. i. a person sixty years old is bound to pay the price fixed for people “from twenty years old to sixty years old” (50 or 30 shekels); and a person just twenty years old has to pay the ransom demanded of people “from five years old to twenty years old” (20 or 10 shekels); if the estimation be made according to the next higher period, the treasury receives less in the first case (15 or 10 shekels), but more in the second (50 or 30 shekels). If we take the wording of our law in its plain sense, it would appear,

9. And if *it be* a beast, whereof *men* bring an offering to the Lord, all that *any one* gives of such to the Lord shall be holy. 10. It shall not be exchanged nor altered, a good for a bad, or a bad for a good; and if

that the new cycles begin with the fifth, the twentieth, and the sixtieth year, so that in terms like "from five years old to twenty years old" the last year is exclusive.

9—13. The principle of the ransom of persons becomes more strikingly clear if contrasted with the laws on vowed animals. With respect to these the idea of non-redemption was upheld not only with consistency but with rigour: a clean sacrificial animal was not to be redeemed on any account; and if the person who dedicated such a beast substituted another, were it even a more valuable one, both the one and the other belonged to the Sanctuary, because, as Philo observes, "God does not take delight in the size or fatness of animals, but in the blameless disposition of the man who has vowed it" (Spec. Legg. c. 9); while an unclean animal, because unfit for holy purposes, was indeed estimated by the priest, and the price was delivered into the sacred treasury; yet if the owner wished to have the animal back, he had to pay one fifth above the estimated value, to impress upon him by this fine that he ought properly to have left to the Sanctuary that which had once been destined for it. The intention of our command is thus explained by Maimonides: "The lawgiver, knowing the inclination of the human heart, was well aware, that people, having dedicated an animal, might, when the holy impulse has passed, from greed and avarice repent of their vow, and, if substitution were permitted, might give a worse for a better animal. He, therefore, for-

bade exchange altogether, in order to improve the character by the subjugation of selfishness; for all the precepts of the Law have but the one object of leading men, often apparently by circuitous roads, to wisdom and righteousness (comp. *Maimon. De Bestiar. consecratar. mutatione*, fin., p. 221 ed. De Veil; and the Rabbinical decisions on the whole subject see *ibid.* pp. 206—221). Many persons seem indeed at all times to have been tempted to evade their self-imposed obligations, or to fulfil them in an unfair and ungenerous spirit; and the very last of the prophets had occasion to pronounce the warning: "Cursed be the deceiver, who has in his flock a male, and vows and sacrifices to the Lord a corrupt beast" (Mal. I. 14).

In what manner the vowed sacrificial animals were used or disposed of, is not intimated; according to the Mishnah, they were sold to Israelites desirous of killing them as holocausts or thank-offerings; but some doctors believed, that the money so obtained was employed for the requirements of the Temple; while others held, that it was spent in buying beasts for holocausts; and elaborate directions were given respecting any other vowed object available for the Temple, such as frankincense and oil, flour and wine (see *Mishn. Shekal. IV. 6—8*). However, the firstlings of clean animals, which were likewise "holy" without permission being given to redeem them, were according to the levitical code killed in the manner of thank-offerings, their blood being sprinkled and their fat

indeed beast be changed for beast, then it and its exchange shall be holy. 11. And if *it be* any unclean beast, of which *men* do not bring an offering to the Lord, then the beast shall be brought before the priest;

burnt on the altar, while all the flesh belonged to the priests (Num. XVIII. 17, 18). This analogy seems to lead to the inference, that the vowed sacrificial animals, having been proceeded with in a similar manner, also fell virtually to the lot of the priests, in whose interest our laws, though collaterally aiming at high spiritual ends, were mainly framed. It is not probable, that the animals should have simply been appropriated by the priests and added to their herds and flocks (Num. XXXV. 3): they were "given to the Lord" and were "holy to Him"; they must, therefore, have been connected with His service in some direct way. — As regards the unclean animals, such as asses and mules, horses and camels, the fact that their redemption was not encouraged, and almost stamped as blameable, justifies the conclusion, that they were in many cases used for the purposes of the Temple, especially as beasts of burden; though, if not required, they were of course sold, the money being applied in harmony with the spirit of our ordinances. Be this as it may, we are not entitled to understand, with the Rabbins, the term "unclean animals" (בהמה טמאה) as "faulty animals", for any beast offered to God was no doubt required to be an unblemished specimen of its kind (comp. *Talm. Temur.* 33^a; *Rashi* and *Rashbam* on ver. 11; a. o. — About the meaning of the *fifth* part see *supra* on XXII. 14, p. 476).

PHILOLOGICAL REMARKS.—The term *חיה* signifies here not merely the quadrupeds fit for the altar, but

implies also the turtle-doves and young pigeons; in this comprehensive meaning, as denoting the entire animal creation, the word *חיה* (properly *dumb* creature) is used elsewhere also (XI. 2; Ps. XXXVI. 7, *אדם ובהמה חיה וטף יחד*; see *supra* p. 50 note 4; Comm. on Levit. I. pp. 78, 79). Jewish tradition, however, takes the word in its more restricted sense. — According to the same authority, parts or individual limbs of beasts might be vowed (which opinion was deduced from the word *חיה*, ver. 9); in such cases the animal was sold, and so much of the money as the vowed portions were worth, was applied to sacred purposes (comp. *Talm. Erach.* 5^a; *Rashi* on ver. 9). — Irregular alternations of the masculine and feminine like *חיה* (ver. 9) and *חיה* (ver. 10) referring to *חיה*, have often been noticed before (comp. XXII. 6; etc.). — The term *חיה* (ver. 10) may relate to redemption by money, and *חיה* to substitution of another beast, both the one and the other being unlawful: some such difference the Masorites also seem to have intimated by the distinctive accent on *חיה*; though indeed the two verbs may merely be intended for emphasis (comp. *חיה*), and they are by the Sept. and Vulg. expressed by one word (*ἀλλάξαι*, *mutari*). — *חיה* is "a good beast for a bad one", that is, a more valuable for a less valuable one, not "a perfect for a faulty one" (Jon. *חיה*, *Siphra*, *Rashi* *חיה*). — The words *חיה* (ver. 12) are simply "whether it be good or bad";

12. And the priest shall value it, whether it be good or bad; as thou valuest it, *who art* the priest, so shall it be. 13. And if *the man* wishes to redeem it, then he shall add a fifth *part* of it to thy estimation.

14. And when a man shall sanctify his house *to be* holy to the Lord, then the priest shall estimate it, whether it be good or bad; as the priest shall estimate

the priest shall estimate the beast and ascertain its value, whatever it may be, so that, of course, the redemption money fluctuates according to the quality of the animal (Vulg. *utrum bonum an malum sit*, Luther *obs gut oder böse sei*, De Wette *apty wie gut oder wieschlecht es sei*, etc.): those words cannot signify, that the priest shall fix "some middle or average price", neither declaring the animal to be very good nor very bad (so Knob., Keil, a. o.); if so, valuations for each individual beast would hardly be necessary, as some average price for each species might have been fixed beforehand. — *כְּעֵינֶיךָ הַכֹּהֵן* is properly "according to thy estimation, namely that of the priest": we have observed before, that *כְּעֵינֶיךָ* seems, in later times, to have been understood as one notion, the suffix almost losing its proper force, so that the word was even provided with the article (*הַכֹּהֵן*, ver. 23; see *supra* on ver. 2, p. 620; Comm. on Lev. I. 521).

14, 15. Houses were vowed under exactly the same conditions as unclean animals: if not required for priestly dwellings or for some other purpose associated with the holy service, they were valued with all fairness, and sold at the price thus fixed; yet the proprietors had the alternative of redeeming them, but were, in this case also, obliged to pay one fifth more than anyone else, as a penalty for their fickleness

and levity in matters appertaining to the Sanctuary. Whether the Temple officials ever *let* vowed houses, is not stated.

16—25. Less simple was the law if a *field* was consecrated to God. In this case conflicting interests were to be reconciled, and abstract principles of legislation to be considered. For fields were inalienable, and in the Year of jubilee they reverted to their original proprietors (XXV. 13, 23—28). They could, therefore, not properly be vowed to the Sanctuary in the same manner as houses, and their dedication was subjected to restrictions. First, it was necessary to make a distinction between hereditary and purchased fields. With regard to the latter, the proceedings were plain and obvious. The probable produce of the land from the time of the vow to the next Year of jubilee was by the owner paid into the sacred treasury at once and in one aggregate sum; and when the Jubilee came, the land was restored to the primitive possessor of whom it had been bought (vers. 22—24): whether redemption was permitted, is not mentioned. But if the dedicated field belonged to the hereditary property of the family, its produce during an entire Jubilee period was calculated, the value of the crops from the last Jubilee to the time of the vow was deducted from that sum, and the difference had to be paid to the Sanctuary by the pur-

it, so shall it stand. 15. And if he that sanctified *it* will redeem his house, then he shall add to it the fifth *part* of the money of thy estimation, and it shall be his.

16. And if a man shall sanctify to the Lord *some part* of the field of his inheritance, then thy estimation shall be according to its seed: a homer of barley seed

chaser of the field, which in the Jubilee was of course restored to the person who made the offering. If this person, by redeeming the land, desired to regain it at once for complete possession, he was bound to add a fifth part to its estimated price, as in the other cases referred to; but if he did not redeem it, and yet sold it surreptitiously to another, he forfeited by this fraud and recklessness not only the right of redemption, but every claim to the land, which in the Year of jubilee did not revert to him or his family, but, "like a devoted field", fell to the share of the priesthood, and thus became holy for ever (vers. 17—21). This seems to be the meaning of our ordinances, which are expressed with some obscurity, and have therefore been differently understood; and it remains only to be added, that the produce of the fields was valued according to the quantity of seed sown upon them, so that fifty shekels annually were reckoned for a piece of ground that can properly be sown with one homer of barley (about 101 43 Parisian cubic inches, or rather more than 4 1/2 imperial bushels, one bushel being 2218 cub. inch.; see Comm. on Exod. pp. 296, 297). For instance:—a man dedicated, in the 32nd year of the Jubilee period, a field requiring 2 homers of seed; as the annual produce was valued at twice 50, or 100, shekels, and a Jubilee period contains 42

harvest years, the crops secured during the whole time were estimated at 4200 shekels; and as, at the season of the vow, 27 crops had been gathered (the 31 years including 4 Sabbatical years), 2700 shekels were deducted from that sum, and the field was by the Temple authorities sold to any stranger for the difference, that is, for 1500 shekels, whereas the proprietor, if he wished to redeem it, had to add one fifth of that sum, or 300 shekels. The same result was of course obtained, if the years from the time of the vow to the *next* Jubilee were computed: for from the 32nd to the 50th year, there were 15 harvest years (as the 18 years include 3 Sabbatical years), and the crops were, therefore, valued at 15 times 100, or 1500 shekels. The calculation rested, in fact on the same principles as those applied in ascertaining the redemption money of *sold* fields (XXV. 23—28; see *supra* p. 559). If the land was promised to the Temple in the Year of jubilee itself, or in the next year before the harvest time, it was of course sold for the value of all the forty-two crops; which is thus expressed in our text, "It shall stand according to thy valuation" (ver. 17). The estimate by the quantity of seed used affords an easier and a more uniform standard than uncertain and fluctuating harvests; fifty shekels were invariably assumed to represent the annual yield of any piece

shall be valued at fifty shekels of silver. 17. If he sanctify his field from the year of jubilee, it shall stand according to thy estimation. 18. But if he sanctify his field after the jubilee, then the priest shall reckon to him the money according to the years that remain until the year of the jubilee, and it shall be abated from thy estimation. 19. And if he that sanctified the field wishes

of land of the stated dimensions; and the quality of the field was not taken into account.

In order to impress upon the reader, that instructions are here given about no mere transactions of sale and purchase, the author once more observes, that "the holy shekel" is to be employed in all these estimates and payments, and he is careful to mention its exact weight, which should remain unaltered in all future time, however the value of current money might vary.

PHILOLOGICAL REMARKS. — As we have observed above, our verses have in many respects been differently interpreted. Thus the words "a homer of barley seed shall be valued at fifty shekels of silver" (ver. 16), have been understood to mean, that fifty shekels were to be reckoned for the whole period from one Jubilee to another, or little more than one shekel for every year (שֶׁלֹּם וְיִשְׁרָאֵל לְשָׁנָה; so *Mishn.* Erach. VII. 1; *Talm.* Erach. 24^b; comp. *Rashi* on vers. 16 and 18; *Saalsch.* Mos. R. p. 151; *Keil*, Levit. p. 167; a. o.): but we know, that, in good seasons, two seahs of barley were sold for one shekel (2 Ki. VII. 1); and it seems most improbable, that the crops resulting from 30 seahs (for so much does a homer contain) should have been valued no higher than the price of two seahs; even at 50 shekels they were probably not over-estimated, if the great fertility of Canaan be considered (comp. Gen.

XXVI. 12): one shekel annually for the produce of such a quantity of seed would merely have been a nominal sum, whereas our law is everywhere so earnest in demanding just and exact estimates (comp. vers. 12, 14, etc., בֶּן־חֵטֶן וְבֶן־רֵט, etc.). If it had been understood that a man, in dedicating his field, virtually dedicated a sum of money, as was understood if persons were vowed to God, a nominal amount would, as in the latter contingency, have sufficed as a symbol of consecration. But such was not the case: a dedicated field was actually sold to anyone who might be induced to buy it for its intrinsic value; and it is impossible to suppose, that the officers of the Temple should have put upon it a price stamping the sale almost as a gift. The *Mishnah* (Erach. III. 2) supposes that, when a *purchased* field was dedicated, it was really sold for its full value; whereas in the case of *hereditary* property, fifty shekels only were demanded for the whole Jubilee period—which arbitrary distinction is unsupported by any Biblical allusion. — A person who vowed an hereditary field without redeeming it, no doubt received it back in the Jubilee, and that gratuitously he was neither compelled to leave it for ever to the Sanctuary (Clericus, Herzheim., Keil, a. o.), nor had he, in order to recover it, to pay the fifth part of the amount at which the field was valued at the time of the donation

to redeem it, then he shall add to it the fifth *part* of the money of thy estimation, and it shall remain his own. 20. And if he does not redeem the field, and if he *yet* sells the field to another man, it shall not be redeemed any more; 21. But the field, when it becomes free in the jubilee, shall be holy to the Lord, like a devoted field; the possession thereof shall be the priest's. —

(*Ewald*, *Alterth.* p. 387; see *Rashi* on ver. 16); for it was a matter of course, that he could never have meant to give up the possession of his family beyond the Year of jubilee, and he could, therefore, not be fined for taking it back at that epoch, after having exercised pious self-denial during a series of years. Some interpreters suppose indeed, that there is this distinction between an hereditary and a purchased field, that the former, if once dedicated, becomes in the Jubilee the property of the priests, whereas the latter returns to the family which has always owned it (comp. *Rashi* on ver. 22). But hereditary fields are only forfeited in the one case clearly stated in our passage (vers. 20, 21); in all others, they were inalienable. The Rabbinical views on the subject are these: Anyone redeeming a vowed field, receives it again in the Jubilee. If some other person redeems the land, and the donor redeems it from that person, it reverts to him in the Jubilee. If a priest redeems it, it becomes in the Jubilee the property of his whole order. If the field is not redeemed, then, according to some authorities, it falls to the share of the priesthood for a ransom of fifty shekels, or even without a ransom; but according to others, it does not become the property of the priests, but remains as "an abandoned field" (שדה עזובה), unappropriated to the next or even to the following Jubilee, till some one re-

deems it (see *Mishn.* Erach. VII. 1—4). How far these opinions coincide with the probable intention of the legislator, will be apparent from the preceding remarks. — The sense of שדה עזובה (ver. 16) has been expressed by Onkel. שדה עזובה the produce of the seed of one cor, and still more distinctly by Jonath. שדה עזובה the space on which one cor is sown.—The meaning of שדה עזובה (ver. 18) "if he sanctify his field from the Year of jubilee", cannot be mistaken; it remains unaltered, whether we understand "from the Year of jubilee" to mean at the very beginning of that year (Vulg. statim ab anno incipientis jubilaei, Gesen., Maurer, a. o., Ebn Ezra שנה עזובה), or immediately after its expiration (so Knobel, Herzheim.; compare *Talm.* Erach. 24^b); for the Year of jubilee itself, being a Sabbatical year, was not included in computing the value of the gift: the only material question was, whether the owner had already gathered a crop in the new period; if this was not the case, the aggregate value of all the forty-two harvests was charged to the purchaser, to whom it then "belonged" (שדה עזובה) or was left (comp. XXV. 30, *supra* p. 563). — A chief obscurity lies in the terms שדה עזובה (ver. 18) "and it shall be abated from thy estimation". What was to be abated? If we take the natural sense of the preceding words, it was the value of the produce from the time of dedication to the next Jubilee

22. And if *a man* sanctify to the Lord a field which he has bought, which *is* not of the field of his possession;
 23. Then the priest shall reckon him the worth of thy estimation until the year of the jubilee, and he shall give thy estimation on that day, *as* a holy thing to the Lord. 24. In the year of the jubilee the field shall return to him of whom he bought it, to him to whom the possession of the land *belongs*.

— "the priest shall reckon to him the money according to the years that remain until the Year of jubilee" (הַכֹּהֵן יִשְׁכַּחֵם לוֹ כֶּסֶף עַד שָׁנַת הַיּוֹבֵל) etc. But it was just the value of that produce which the owner consecrated to God. We must, therefore, suppose that the equivalent of the crops from the *last* Jubilee to the time of the donation was to be deducted from the total yield of the land within the entire period. The wording of the verse is indeed peculiar, as it conveys a very indirect and circuitous mode of computation, whereas below we have plainly, "the priest shall reckon to him the worth of thy estimation until the Year of jubilee" (ver. 23); yet no other interpretation is rationally possible than that stated (Ebn Ezra שָׁנַת הַיּוֹבֵל אֵינָהּ אֶחָד; Clericus, Rosenm. praeteritum tempus post Jobeleum; comp. also the brief expression in XXV. 27 יִשְׁכַּחֵם אֶת הַכֶּסֶף עַד שָׁנַת הַיּוֹבֵל, *supra* p. 562). Rabbinical writers explain, "they deduct the number of years that have elapsed from the Jubilee to the year of redemption" (comp. *Rashi* on ver. 18); however, our verses refer to the *valuation* of the land, and not to its *ransom*, which is treated of in the next verses. — From the phrase הַיִּשְׁכַּחֵם, in the plural, Jewish tradition deduced the rule, that an hereditary field must be vowed at least two years before the Jubilee; and from the fact that our text never uses the word month, it was inferred,

that such a field cannot be redeemed before a full year has passed after the Jubilee; though priests and Levites were permitted to vow and to redeem at any time (*Mishn. Erach.* VII. 1, 5). — The construction of the words 'וְיָמָא לֹא יִגָּאֵל' (ver. 20) is clear; they do not involve two distinct cases, but one contingency taking place under two conditions, viz. a dedicated field becoming irrevocably the property of the priesthood, if the owner has not redeemed it, and has yet sold it to another; the second וְיָמָא is, therefore, not "*or if*" (Ebn Ezra וְיָמָא אֵינָהּ אֶחָד, Engl. Vers., Herzheim., Keil, a. o.), but "*and if*"; and those words cannot be adduced to support the view above referred to, that vowed fields not redeemed before the Jubilee are for ever lost to the hereditary owner. — The subject of וְיָמָא, like that of יִגָּאֵל, is the donor (הַנִּשְׁכַּחֵם ver. 19), certainly not the priest or Temple treasurer (זָכֵן; comp. *Talm. Erach.* 25^b; Rosenm.; Vater and De Wette und *man* verkauft das Feld; comp. Vulg. sed alteri cuilibet fuerit venundatus; etc.). — The verb יָצָא (ver. 21) to go out free, generally employed with reference to persons, such as slaves (Exod. XXI. 2—7), is here used in connection with fields, instead of the more usual יָצָא (ver. 24), "when the field goes out, or becomes free in the Jubilee" (יָצָא בַיּוֹבֵל); these words are inaccurately rendered by the Sept. and Vulg. (ἐξαληλυθὺς

25. And all thy estimation shall be according to the shekel of the Sanctuary; twenty gerahs shall be the shekel.

26. Only the firstling among the beasts, which is born as a firstling to the Lord, no man shall sanctify it, whether *it be* ox or sheep; *it is* the Lord's. 27. And if *it be* of an unclean beast, then it shall be redeemed

תִּשָּׁרֵף אֲפִסְעוֹס, as if reading תִּשָּׁרֵף אֲפִסְעוֹס, and cum jubilai venerit dies, in which translations neither the suffix of the first, nor the preposition of the second word is expressed. — The unredeemed field dishonestly sold by its owner became in the Jubilee "holy to the Lord, like a devoted field" (תִּשָּׁרֵף אֲפִסְעוֹס); that is, as "everything devoted in Israel belonged to the priest" (Num. XVIII. 14), it was not applied to purposes of the Sanctuary, but was allotted to the priests themselves, and added to their pasture fields (comp. *Talm.* Erach. 28^b). — About תִּשָּׁרֵף אֲפִסְעוֹס (ver. 23) properly *number*, then *value* or *tax* (Onk. תִּשָּׁרֵף, Jon. תִּשָּׁרֵף, Sept. τῆλος), see on Exod. XII. 4, p. 192; and about תִּשָּׁרֵף אֲפִסְעוֹס with the article, see *supra* on vers. 9—13. — The express addition, that the donor of a purchased piece of land should pay the estimated price "on that day" (תִּשָּׁרֵף אֲפִסְעוֹס), seems to imply, that he had to furnish the whole sum at once, and not by annual instalments, which mode of settlement was perhaps allowed to a person consecrating his hereditary field; since the former, being able to buy landed property, might be supposed to possess the means of ready payment; yet the Mishnah imposes the same claim upon the latter also (*Mishn.* Erach. VII. 1, תִּשָּׁרֵף אֲפִסְעוֹס).

26, 27. Any offering presented to God or His ministers must naturally be the property of him who presents it; but at the time when our section was written, the firstborn male ani-

mals legally belonged to the priests; the ordinances with respect to the firstborn had reached the last of the three stages, which we have pointed out elsewhere, and which, like so many similar laws, strikingly illustrate the gradual advance of hierarchical power. The male firstborn of *clean* animals were no longer to be sacrificed as holocausts, as was ordained in Exodus; nor were they to be presented as ordinary thank-offerings, of which the breast and right shoulder only were given over to the priests, while the remainder was left to the Israelites, as was prescribed in Deuteronomy: though killed as thank-offerings with the usual rites, they were by the levitical authors wholly assigned to the priesthood, to the utter exclusion of the original proprietors. And the male firstborn of *unclean* animals were no longer replaced by clean beasts, or killed if this was not done, as the oldest legislators demanded; but they were invariably redeemed with five holy shekels, and the money was handed over to the priests (see Comm. on Levit. I. pp. 609—613). Therefore, a firstborn of clean animals could on no account be offered as a vow, and the person who contravened this law, was no doubt regarded as having attempted to defraud the Sanctuary, and was treated accordingly (V. 15, 16); but if anyone, having once dedicated the firstborn of an unclean beast, was afterwards desirous of redeeming it, he

according to thy estimation, and a fifth *part* of it shall be added thereto; and if it be not redeemed, then it shall be sold according to thy estimation.

was bound, as a penalty for his fickleness, to pay one fifth above its estimated value; whereas no more than this value was required of anyone else who bought it of the Temple officers.

PHILOLOGICAL REMARKS. — As the verb בָּרַךְ in Piel and Hiphil means to bring forth firstfruits (Ezek. XLVII. 12) or the firstborn (Jer. IV. 31; comp. Deut. XXI. 16), the passive Pual בָּרָךְ signifies to be brought forth or to be born as the first, and the phrase בָּרָךְ אֱלֹהֵי לְבִי (ver. 26) is intelligible — “a firstborn that is born as a firstling to the Lord”, that is, one which, as such and by its very birth, belongs to God: בָּרָךְ is a complement to בָּרַךְ, and does not begin the second clause (as the Sept. renders ἐστὶν τῷ Κυρίῳ, Vulg. better, though freely, primogenita quae ad Dominum pertinent; Ebn Ezra explains בָּרָךְ שֶׁנֶּחֱמַד לוֹ; Luther aptly die Erstgeburt unter dem Vieh, die dem Herrn sonst gebührt; etc.). — בָּרָךְ in ver. 27 is co-ordinate to the same word in the preceding verse, being also governed by בָּרַךְ. — The Mishnah (Erach. VIII. 7) discusses, in what sense a firstborn animal might be “dedicated”, and in what sense not. — It is well known, that from early times attempts have been made to harmonise in some measure the statements of the Pentateuch with respect to the firstborn of unclean animals; thus the Septuagint renders in the old law of Exodus (XIII. 13; XXXIV. 20) the word בָּרָךְ “and thou shalt break its neck” by λυτρώσθαι αὐτό “thou shalt redeem it”, or τιμῆν ἑωραῖ; αὐτοῦ “thou shalt give its value”, evidently having our passage in mind, and reading בָּרָךְ, which is indeed found

in the Bible fragment recently discovered by the Karaite Rabbi Firkowitsch (comp. Geiger, Jüd. Zeitschr. II. 288; III. 232; Steinschneider, Hebr. Bibliograph. IV. 62): however, בָּרַךְ in Kal is usually either to arrange or to prepare, and not to estimate; in this latter sense the Hiphil is always employed, as constantly in our chapter (vers. 8, 12, 14; comp. 2 Ki. XXIII. 35; in the one poetical passage Job XXXVI. 19 the Kal occurs in the same meaning, בָּרַךְ). The later Biblical writers and the translators considered “breaking the neck” of useful animals not only cruel, but wantonly wasteful; the former, therefore, abstained from enjoining it, and the latter endeavoured to remove the injunction where they found it in the earlier portions of the Law, the more so as they believed they might thus reconcile a striking discrepancy. Jewish tradition meant to attain this end by declaring, that our precept does not apply at all to firstborn animals, but to unclean beasts dedicated for “the repairs of the Sanctuary” (בָּרָךְ הַבַּיִת; comp. Talm. Menach. 101^b; Rashi on ver. 27; see, however, Ebn Ezra in loc.); which is evidently against the context; and some translate the first words of the twenty-seventh verse, “and if there is in the beast some uncleanness” (e. g. Luther, a. o.), which construction cannot be attached to the Hebrew words בָּרָךְ בְּבֵהֵמָה טְמֵאָה (Sept. correctly ἐὰν ᾖ τὸν τετραπόδον τὸν ἀκαθάρτων, Vulg. quod si immundum est animal). A modern interpreter suggests, that our text might refer to the case that an unclean animal was by the owner dedicated to the

28. Yet no devoted thing, that a man shall devote to the

Temple, after he had given for it a lamb to the priest (Herzheim. in loc.) — an ingenious but improbable conjecture, in support of which no Biblical allusion whatever can be adduced. *And the latest English commentator believes, that the difficulty might be removed by remarks like these: "The earlier law in Exodus... is here modified for the advantage of the Sanctuary; a change of circumstances may have rendered this alteration expedient; the priesthood and the regular service of the Tabernacle were now established and needed support" (*Cook's Holy Bible*, p. 646). But the earlier law in Exodus is introduced by the words, "And it shall be when the Lord shall bring thee into the land of the Canaanites" (Exod. XIII. 11); it was, therefore, intended to be valid in future ages, and yet this Divinely revealed law is supposed to have been modified by another revelation scarcely one year after it had been enjoined (comp. Exod. XXXIV. 20 and Num. I. 1): was "the change of circumstances", that is, the institution of the priesthood and of the regular service, not foreseen and considered? — The masculine suffixes in *לְהִקְדֹּשׁ* and *לְהִקְדָּשׁ*, and the masculine forms of the following verbs, refer to the male animals implied in *בְּהֵמָה טְמֵאָה*, such as the ass and the mule; exactly as *אִישׁ* in ver. 26 has, by way of prolepsis, the masculine suffix referring to the following *אִישׁ אֶם עַם אֶם נָשִׁים*. — The Deuteronomist (XXIII. 19) has this command: "Thou shalt not bring the hire of an unchaste woman (*אִשָּׁה זָנָה*) or the earnings of a dog (*אֶרְבֵּי חֵלֶב*, i. e. a sodomite) into the house of the Lord thy God for a vow" (see *supra* p. 431): the gifts

vowed to God must be the property of the donor, acquired by righteous and honourable means.

28, 29. We must confess, that the ruthlessness which breathes in these verses, stands in surprising contrast to the spiritual refinement which characterises our entire section. The command, "None devoted (*קִדְּשָׁה*) that shall be devoted of men, shall be redeemed, but shall surely be put to death", seems like an echo from a rude and barbarous age very unlike that in which even the killing of unclean animals in the service of religion was deemed objectionable. It is true, that it by no means involves a sanction of human sacrifices; for the "devoted" persons were not to be offered up to God, that is, to be "brought near Him" (*קָרַב*), but on the contrary, they were to be removed out of His sight; they were not to be kept in pious remembrance, but utterly effaced and forgotten; and their blood was not shed at the altar for atonement, but their death was required, in order that "the evil might be removed from the land". They were called "most holy to the Lord", not in the same sense as the highest classes of offering, but merely because, having been irretrievably withdrawn from the power of men, they passed into the unconditional subjection of God. As we have shown in another place, our law applied only to malefactors, religious offenders, and political enemies dangerous to the existence or the faith of the Hebrew community, in fact, not to Godfearing but to impious persons; it was executed, not by private persons, but by the recognised authorities and representatives of the people, acting in the name of God; it is, in this

Lord of all that he has, *both* of man and beast, and of the field of his possession, shall be sold or redeemed: every devoted thing is most holy to the Lord. 29. None devoted

form, not elsewhere introduced; and it is here stated so briefly, that the author evidently knew he was alluding to a subject on which he could not possibly be misunderstood. Indeed in the long list of "devoted" people mentioned in the historical records of the Hebrews, there are none whatever who, according to the historians, had not drawn down upon themselves the wrath of God; and the readers of the precept, general and unqualified as it seems, "all devoted men shall be put to death", could not for a moment be supposed to believe, that they might, like Jephthah of old, vow and offer up in honour of God some innocent Hebrew, whether child or slave. It has been well observed, that "the *cherem* involves the compulsory consecration of that which defies or impedes sanctification; whenever, therefore, it was carried out by the community or by the legal authorities, it bore the character of a theocratic judgment, and was an act of judicial retribution manifesting the Divine holiness" (*Keil*, Levit. p. 170; comp. *Hengstenb.* Authent. des Pentat. II. 128). Yet even so, and just because the *cherem* did not, like the vow, rest on spontaneity, but on compulsion, the law gave a terrible weapon to fanaticism and vindictiveness; and it appears like a singular anachronism at a time which promulgated the precept, "Thou shalt love the stranger like thyself".

The prophet Ezekiel, whom the levitical writers so frequently followed, prescribed in general terms, that "every devoted thing in Israel shall belong to the priests" (Ezek.

XLIV. 29); the same command is enforced within the same words in the Book of Numbers (XVIII. 14); and in both cases it occurs among the measures devised for the sustenance of the priests, and is meant to add to their revenues; but in our passage men are specified among the "devoted things", and they are expressly debarred from the right of redemption, which might have yielded considerable sums: they were to be of no advantage to the priests; and their lives were inexorably demanded (see Comm. on Levit. I. 409).

While hereditary fields simply vowed (עֲרֵכָה) reverted to the owners in the Year of jubilee, those "devoted" to God (חֵרֵם) remained for ever sacred property (comp. ver. 21), and were also "most holy"; they could neither be redeemed by the proprietors nor sold by the priesthood; for the *cherem* implied an absolute and indefeasible renunciation of some possession or gain in favour of the Divine Ruler and Master. Hence among the objects thus given up, purchased fields are not mentioned; for these were in the Jubilee restored to the families to which they had originally been allotted.

PHILOLOGICAL REMARKS. — The Targum of Jonathan, desirous of mitigating the harshness of our command, renders the 29th verse thus: "Every vow that shall be vowed of man, shall not be redeemed with money, but with burnt-offerings, and with hallowed victims, and with supplications for mercy before the Lord, for such should be put to death". The Mishnah and Talmud show the same

that shall be devoted of men, shall be redeemed, *but* shall surely be put to death.

30. And all the tithe of the land, *whether* of the

tendency; for they teach, that a man may devote a part of his flock or herd, a few of his heathen slaves, or a portion of his hereditary field, but not the whole; and that no one is allowed to devote his son, his daughter, or his Hebrew servant. — Discussions were raised, whether property which was devoted without its object being specified, was applied to the requirements of the Temple, or fell to the share of the priests; the latter alternative, which was finally adopted, is the probable intention of the law, if we consider the two passages of Numbers and Ezekiel above referred to (*Mishn. Erach. VIII. 4—6*). But the precept cannot mean, "if a person was devoted to God by *cherem*, he remained sanctified for ever, and was given over to the Sanctuary, to aid in its service and assist the priests" (*Saalsch. Mos. R. p. 371*): in the 28th verse men are mentioned among the objects that may be devoted to God without the right of redemption; and the 29th verse declares, that men so devoted shall invariably be put to death; so that no doubt is left about the meaning of the command. It is true, that the wording of the two verses is in some respects different; the 29th does not mention, that the devoted men are "most holy"; it speaks simply of "men devoted", not "devoted to the Lord"; and it employs the word "releasing" (פטר), not "redeeming" (כפר): but it would be hazardous to assume, on the strength of these reasons, that the two verses do not belong together, but treat of different laws — the first of the vows of private individuals surrendering persons to the service of the Temple,

and the second of the *cherem* executed by the authorities on public grounds. We have above admitted, that the tenor of the 29th verse is surprising, and we would fain believe, that it originated in some rude and early period, and was here only inserted because it seemed to supplement the preceding verse; or else we would believe that the 28th verse relates to the consecration of Temple servants, not unusual in the ancient world (see *Comm. on Lev. I. p. 585*; comp. *Aeschin. Adv. Ctesiph. §§ 110, 111, ed. Becker*): but we see no foundation for these suppositions. — This is not the place for entering into the post-Biblical development of the *cherem*, which was by the Talmudical teachers applied, in many gradations, to a great variety of offences, but was by them, on the whole, divested of the terrible rigour of the Biblical *cherem*, since they aimed, not at the death of the offender, but at his removal from the Jewish community, or his repentance and reformation (comp. *Maimon. Hilch. Erach. Vacher; Yor. Deah § 334; Selden, De Jur. Nat. et Gent. pp. 498—536; Winer, Real-Wört. I. 134—137; Ewald, Alterth. pp. 81—87; Saalsch. Mos. R. pp. 368—372; Hamburger, Real-Encycl. I. 149—155; etc.*).

30—33. Like the firstborn animals, the tithes, whether of cattle or of vegetable produce, could not be dedicated to God by a vow, and precisely for the same reason — namely, because even as tithes they belonged to God and were holy to Him; they were surrendered to the Levites in return for their services at the national Temple; and the

seed of the land *or* of the fruit of the tree, *is* the Lord's: *it is* holy to the Lord. 31. And if a man wishes to redeem *ought* of his tithes, he shall add thereto the fifth *part* thereof. 32. And *concerning* all the tithe of the herd or of the flock, of whatsoever passes under the rod, the tenth shall be holy to the Lord. 33. It shall not

Levites, on their part, had to give a tenth of the received tithes to the priests or Aaronites. Yet redemption of the tithes was permitted to the owner, on the usual condition that he added one fifth to their value, by which arrangement so disadvantageous to him he was to be deterred from denying to the Sanctuary a portion of the wealth itself with which he had been blessed: for though the tithes were an impost appropriated by the priesthood, it was never forgotten, that they were properly dedicated to God, the Lord of the land and the Bestower of all prosperity; and this holy character was partially destroyed by their conversion into money. On the same grounds, every animal which happened to be the tenth according to the usual mode of counting flocks and herds, "by letting them pass under the rod", was to be given over to the Levites, and like a dedicated beast (ver. 10), was not to be changed even for a better one; if the proprietor attempted to substitute another, he forfeited both, and also lost the right of redemption. So consistently were the material and spiritual objects of the precept blended. We have before fully discussed the successive stages in the laws of tithes, and we need in this place hardly point out again, how high a degree of priestly influence is reflected in the command of our passage, which requires not merely the tenth part of the annual produce of the soil and the trees, as the law of Deu-

teronomy does, but also the tenth part of the annual increase of the herds and flocks. Other fluctuations in the same ordinances are no less instructive and significant (see Comm. on Lev. I. 604—609).

PHILOLOGICAL REMARKS. — The tithes here so familiarly introduced, though no law concerning them occurs in the anterior portions of the Pentateuch, are not "the second tithes" (תרומה), that is, those consumed in Jerusalem both by the proprietors and the Levites, as the Rabbins assume (comp. *Mishn. Maas. Schen.* IV. 3; *Talm. Kidd.* 54^b); for the distinction of different kinds of tithes is evidently disregarded by our legislator, who plainly demands the tenth part of all vegetable and animal increase for the exclusive use of the priesthood (see Comm. on Lev. I. 609; *George, Jüd. Feste*, pp. 67, 68; *Geiger, Urschrift*, pp. 176—181; *Jüd. Zeitschr.* IV. 108). — According to Jewish tradition, anyone might redeem the tithes of another person for their exact value, without the addition of the fifth part; in this case, he was permitted to eat them at any place he might choose; but the money given for them was to be taken to Jerusalem and expended in convivial repasts in the company of invited Levites (comp. *Talm. Kidd.* 24^a; *Talm. Jer. Maas. Schen.* c. 4; *Rashi* on ver. 31). These decisions also resulted from combining the laws of Deuteronomy with those of the middle Books, instead of separating the one from the others. This con-

be searched whether it be good or bad, nor shall it be changed; and if it be changed, then both it and its exchange shall be holy, it shall not be redeemed.

34. These *are* the commandments, which the Lord commanded Moses for the children of Israel in Mount Sinai.

fusion engendered strange explanations, which may be best illustrated by the remarks of Rashi on ver. 32: "Every tenth animal is holy, that is, its blood and fat are brought to the altar, while the flesh is eaten by the owners;... for we do not find, that the flesh was surrendered to the priests". However, to be "holy to the Lord" means to be given over entirely to His Sanctuary or His ministers. — *זרע הארץ* (ver. 30) the seed of the land, that is, the produce of the seed, for *תבואת זרע* (as in Deut. XIV. 22). — On the custom of numbering cattle by means of the shepherd's staff (*כל אגרי עדר חזקתו חשב*), see Comm. on Lev. I. p. 605 note 13; comp. *Rashi* on ver. 32. Another mode of controlling cattle usual among African tribes, as the Latookas on the white Nile, has been described by a recent traveller: "The entrance of each cattle kraal is a small archway sufficiently wide to admit an ox at a time; suspended from the arch is a bell, against which every animal, on entering the kraal, must strike either

its horns or back; and thus the herds are counted every evening when brought home from pasture" (see *S. W. Baker*, Alb. N'Yanza, pp. 208, 209).

3-4. The final reviser of the Book of Leviticus, finding, or adding, our chapter as an appendix after the comprehensive formula of conclusion with which the preceding chapter terminates, deemed it appropriate here to affix another, though somewhat briefer conclusion of a similar import; he states likewise, that the Divine commands (*מצוות*) given at Mount Sinai are completed; but he represents these commands simply as having been revealed to Moses and communicated by him to the Hebrews (*אל-בני ישראל*), whereas the original conclusion (XXVI. 46) more specially describes the Sinaitic "statutes and judgments and laws" as the terms and conditions of the eternal covenant entered into between God and the children of Israel, and binding upon both as long as these terms are adhered to.

ON THE ECONOMY, DATE, AND AUTHORSHIP OF LEVITICUS.

Holiness is the aim and object of the Book of Leviticus — the holiness of the Tabernacle and its servants, the holiness of public worship and private life, of the people and the land. The Book contains hardly a precept, a narrative, or a historical allusion, which is not meant to promote that one great end. It sets forth elaborate codes on sacrifices, offerings, and votive gifts¹; it furnishes a full account of the consecration of Aaron and his sons, of the national Sanctuary and its vessels²; commands relating to purity in diet and person follow³; and supplementary laws are repeatedly added concerning the principal subjects — the sacrifices, the priesthood, and purity⁴; the minutest injunctions are given in reference to the sanctity of marriage, rectitude in every relation of life, and the duties of love and charity⁵, respecting the holy days, seasons, and periods — the Sabbath and the Festivals, the Sabbatical year and the Year of jubilee⁶; and finally blessings are promised to those who obey, dire punishments threatened to those who disregard, these laws⁷. And in every instance, the holiness of God is the foundation upon which the institutions are built, and

¹ Ch. I—VII, XXVII.

² Ch. VIII—X.

³ Ch. XI—XV.

⁴ Ch. XVI, XVII; XXI, XXII;
XXIV. ⁵ Ch. XVIII—XX.

⁶ Ch. XXIII, XXV.

⁷ Ch. XXVI. — See the admirable analysis of the contents of Leviticus in *Davidson's* Introduction to the Old Testament, I. pp. 256—292.

it is the ideal after which the Hebrews, destined to be a priestly nation, must strive.

This is the true unity of the Book — a unity of principle, which suggested and determined the selection of subjects.

But the notion of a holy God governing a holy people in a holy land, was the latest product of religious thought. We have tried to prove throughout the present and the preceding volume, that nearly all the chief ordinances of the Hebrews passed through three successive stages — the physical or natural, the historical, and the theocratic or spiritual. We have endeavoured to point out this uniform development with respect to the sacrificial and the dietary laws, the precepts of purity, and the festivals. But the different phases are separated from each other by long intervals, and the last pre-supposes a singular degree of moral refinement and religious training; it certainly pre-supposes an age very far in advance of that in which the people danced round the golden image of the calf Apis, exclaiming, "These are thy gods, O Israel, who brought thee up out of the land of Egypt"; or of that in which Jephthah believed he was presenting an acceptable offering to God by slaughtering his daughter as a holocaust.

But we need not be satisfied with a vague estimate of the date of Leviticus; there are fortunately traces which enable us more and more to narrow the circle of probabilities, till at last the final compilation and revision of the Book may be fixed almost within a single generation.

We trust we have succeeded in demonstrating, that the laws of Leviticus in reference to every particular subject are of later origin than the corresponding enactments of Deuteronomy; we have at least spared no pains to establish this point; for upon it hinges the true insight not only into the composition of the Pentateuch, but into the entire history of Hebrew theology: we have shown the priority of the Deuteronomist in the laws of the priesthood*

* Part I. pp. 598—601.

and the sacrifices¹, in those of the firstborn and the firstfruits², of tithes and other priestly revenues³, in the laws of purity⁴ and diet⁵, the Sabbath and the annual festivals, the Sabbatical year and the Jubilee⁶, and in many moral precepts, such as the treatment of slaves and strangers⁷. In every case Leviticus, compared with Deuteronomy, manifests a most decided progress in hierarchical power and organisation, in spiritual depth and moral culture; but it manifests, on the other hand, a no less decided decline in freedom and largeness of conception. The buoyant and refreshing spirit of prophecy, which breathes in Deuteronomy, is in the later Book replaced by a severe and rigid ceremonialism; the manifold political and social interests which engage the one, are in the other absorbed by a purely religious legislation; and the State is merged in the Church. Therefore, Leviticus must be placed later than the seventh century — the date which critics almost unanimously assign to Deuteronomy.

The laws which Ezekiel, in delineating the restored commonwealth, propounds with respect to the rights and duties of priests, the sacrificial service, and the festivals, are greatly at variance with those of Leviticus, and we have been careful to call attention to these differences in the proper place⁸. If, in the prophet's time, the commands of Leviticus had existed, or had been known as a part of the holy "Book of the Law", he would assuredly not have ignored and overthrown them by substituting others devised by himself. We must therefore conclude, that the Book of Leviticus did not exist, or had at least no Divine authority, in the earlier years of the Babylonian captivity.

The destruction both of the northern and the southern kingdom, and the misery of the people scattered in the countries of the Euphrates and Tigris, are in one of the last chapters (the XXVIth) vividly and most accurately described. This part of the Book, there-

¹ Part I. pp. 39—44.

² Part I. pp. 609—614.

³ Part I. pp. 604—616.

⁴ *Supra* pp. 190, 191.

⁵ *Supra* pp. 101 *seq.*

⁶ *Supra* pp. 535—539.

⁷ *Supra* pp. 435—437.

⁸ See *supra* pp. 268, 454, etc.

fore, leads us on to an advanced period of the Babylonian rule⁹.

The contemporaries of Nehemiah (about B. C. 440), were unacquainted with the Law of Moses; when the people heard it read, they wept, exactly as, about 200 years before, king Josiah had wept when portions of Deuteronomy were read to him; and they were grieved for the same reason — because they had not lived in accordance with the precepts of that Law¹⁰.

Leviticus contains ordinances respecting several institutions, the existence or full development of which cannot be proved until long after the captivity — such as the sin-offerings and the High-priesthood, the Day of Atonement and the Year of jubilee, institutions of all others the most characteristic or most important. Now it has been shown above,¹¹ that the Day of Atonement was unknown in the time of Nehemiah; and as the Year of jubilee was associated with the Day of Atonement¹², the compilation of the Book must fall later than that date; and we shall probably be near the truth, if, considering the spirit of the concluding chapter on votive offerings and tithes, we place the final revision of Leviticus and of the Pentateuch at about B. C. 400¹³.

We have admitted, that the Book discloses unity of principle; but it is entirely without unity of composition; its arrangement is so irregular, its component parts are so different in style and tone, and it offers so many repetitions on the same subjects, that its authorship by one writer is out of the question. It was, in fact, the product of many minds writing at different times and with special objects in view, and it received but very gradually its present form and dimensions.¹⁴

⁹ *Supra* pp. 582—585.

¹⁰ See Neh. VIII. 9; comp. 2 Ki. XXII. 11.

¹¹ See pp. 271, 272.

¹² See p. 548.

¹³ Hence a widely-spread view that Ezra finally revised the Pentateuch,

must be modified; comp. f. i. *Valke*, *Bibl. Theolog. I.* 559; *Nöldeke*, *Untersuchungen*, p. 127; *Alttestamentl. Literatur*, pp. 31, 32; etc. etc.

¹⁴ See Part I. pp. XVII—XXVIII; *supra* p. 440; etc. Recent apologists are compelled to make significant

Read in this light, the ordinances of the more thoroughly understood, and the numerous difficulties disappear, which have called forth such fierce controversies, and given rise to so many singular opinions and conjectures. It is not too much to contend that, unless the older portions of Exodus, the enactments of Deuteronomy, and those of the middle Books (Leviticus and Numbers), be viewed as so many successive stages of legislation, the grand spiritual and political history of the ancient Hebrews, which extends over a period of more than a thousand years, can neither be comprehended nor adequately appreciated. Wherever an occasion presented itself in the history as far as was feasible from the nature of our sources, which, limited and fragmentary as they are, may by this process almost be reduced to continuity and organic order.

In abandoning the traditional conceptions of the origin of the Pentateuch, we gain a great and most valuable boon; for in viewing the marvellous religious edifice of the Hebrews as their own and patiently achieved creation, their intellectual life and struggles are brought home to our understandings and our human sympathies, and thus cannot fail to inspire us with a new interest and a higher admiration.

concessions like these: "There appear to be in Leviticus, as well as in other Books of the Pentateuch, pre-Mosaic fragments incorporated with the more recent matter . . . It is by no means unlikely that there are

insertions of a later date which were written, or sanctioned, by the Prophets and holy men who, after the Captivity, arranged and edited the Scriptures of the Old Testament" (Cook's Holy Bible, Levit. p. 494).



1895-1911



CH

~~SEP 10 1994~~

~~MAR 12 1997~~ 1997 A 78

~~JAN 09 1994~~

~~JAN 27 2002~~

~~FEB 10 1995~~

~~SEP 10 1996~~



CH

